

Union workers and their allies from across the state rallied Saturday at the Ohio Statehouse ahead of a Monday case before the U.S. Supreme Court. (Laura Hancock, Capitol Letter.)

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= 9 **Rotunda Rumblings**

= 9 **The pharmacist will see you now:** In the past two decades, the role of pharmacists has evolved from pill dispensing to administering medicine such as flu

shots or the anti-drug and alcohol abuse medicine Vivitrol, said Antonio Ciaccia of the Ohio Pharmacists Association. Pharmacists also consult with patients about their overall drug regimen and make adjustments, he said. But they continue to bill insurance only for the medicine they dispense and don't get paid for the other services. Senate Bill 265, sponsored by Sen. Matt Dolan, would change that, allowing pharmacists to enter insurance codes now reserved for doctors or other providers, said Ciaccia, whose group supports the measure. The bill would only affect private insurance and not Ohio Medicaid.

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Still assessing: The Ohio State Medical Association, which represents doctors, and the Ohio Association of Health Plans, which represents insurers, each said they are reviewing the legislation, which was introduced late last week.

= 9 Ohio eyes on case: Today the U.S. Supreme Court will hear arguments in *Janus v. AFSME*, Council 31, which will examine whether public-sector unions can charge non-union employees fees for the collective bargaining agreements from which they benefit. Unions at a Cap Square rally Saturday argued the case is one more attempt by big business to erode organized labor's money and power. But the Buckeye Institute argues non-union employees' First Amendment rights are violated when they're paying money to groups that they disagree with, writes Capitol Letter's Laura Hancock.

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Tuition assistance: People who save money for college in 529 plans outside the state could receive Ohio's income tax deduction under a new bipartisan bill. Current law provides people a deduction of up to \$4,000 if they save through the Ohio Tuition Trust Authority, said bill sponsor Rep. Gary Scherer. But a trade association representing the Tuition Trust Authority and managers of other states' 529 plans told Scherer that for some investors, it's more beneficial to open accounts in other states. Scherer said the Tuition Trust Authority supports House Bill 524 because other states give tax deductions for people with plans in Ohio.

= 9 State checked out: The nearly 14,000 state employees whose medical claims are processed by Anthem Blue Cross Blue Shield can go to the ER without worries that they will be stuck with a bill, Hancock reports. Ohio opted out of Anthem's new practice of denying some claims when ER visits are not for emergency care, according to the Ohio Department of Administrative Services. Ohio is self-insured but has contracted out claims administration to Aetna, Medical Mutual of Ohio and, beginning in 2016, Anthem.

Stamp act: Serving as a notary public – or using the services of one – in Ohio would change significantly under Senate Bill 263 from Republican Sens. Matt Huffman and Steve Wilson. The "Notary Public Modernization Act" would, for the first time, allow documents to be notarized online via audio-video conferencing. Notaries would be commissioned by the Ohio secretary of state instead of by each of Ohio's 88 counties (which have varying rules and processes), and applicants would have to undergo a background check, take a training course and pass an assessment. The bill also would change what notaries are allowed to charge for their services.

= 9 **Who had the most signatures?** When Rocky River physician Jon Heavey failed to make the Democratic ballot for governor last week because he only had 854 valid signatures, it made us wonder. How close did the successful major party candidates for governor cut it? The state requires 1,000 signatures for major (Republican and Democratic) party candidates and 500 for minor-party candidates, which this year is just one – Connie Gadell-Newton of the Green Party. Here are the number of valid signatures for governor. For U.S. Senate and down-ballot races, [visit here](#).

= 9 Mike DeWine (R) – 2,724
 Richard Cordray (D) – 2,595
 Dennis Kucinich (D) – 2,140
 Joe Schiavoni (D) – 1,861
 = 9 Mary Taylor (R) – 1,799
 Larry Ealy (D) – 1,241
 Bill O'Neill (D) – 1,237
 Paul E. Ray (D) ? 3 1,192
 Constance Gadell-Newton (G) – 634

= 9 **Slaby bows out:** State Rep. Marilyn Slaby has withdrawn her bid for a fourth term representing House District 38, according to the Akron Beacon Journal's Doug Livingston. That leaves ex-Summit County Councilman Bill Roemer as the lone Republican in the race for the Republican-leaning district in western Summit and Stark counties. He'll face Democrat Elliot Kolkovich, an assistant Summit County prosecutor, in November.

= 9 **Another Dem with petition problems:** Ohio House District 37 has been high

on Democrats' list of potential pickups this year. But now it's up to Secretary of State Jon Husted to decide whether the Democrat's candidate, Casey Weinstein, will qualify for the ballot. The two Republicans on the Summit County Board of Elections moved this week to reject Weinstein's petitions because of a typo; the board's two Democrats sided with Weinstein, leaving it to Husted to break the tie. Democrats say they're confident Husted will side with Weinstein – but just in case, Casey's wife Amanda has filed as a write-in candidate, according to Aaron Fisher of the House Democrats' campaign arm.

=9 And yet another: Ashley Philipp, a resident of tiny McComb in Hancock County, failed to submit enough valid signatures to make the ballot in House District 83, currently held by term-limited Republican Rep. Robert Sprague. Fisher tells Capitol Letter he's confident they'll find a write-in candidate in the GOP-friendly district to replace Philipp by today's write-in candidate deadline.

=9 Bacon bit: A Franklin County Republican Party screening committee has recommended that state Sen. Kevin Bacon pick up the county party's endorsement in the special election for Ohio's 12th congressional district. In all, 10 Republicans interviewed with the committee; the county party is set to vote on an endorsement on Tuesday. Getting the county party's backing would help Bacon, already considered a frontrunner in the GOP primary, to separate himself from the rest of the crowded field.

=9 Housing, coal projects on Controlling Board agenda: The Controlling Board on Monday is set to hear requests from the Development Services Agency to approve \$13.6 million for low-income rental housing, as well as another \$5.5 million for housing assistance grants. DSA is also seeking the board's blessing to release more than \$1.8 million in total to Ohio University and the University of Cincinnati to pay for coal research projects.

Stories We're Talking About

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Kasich 2020 talk revives: "John Kasich's inner circle is gearing up for a possible presidential run in 2020 -- actively weighing the prospect of a Republican primary challenge to President Donald Trump against the feasibility of a long-shot general election campaign as an independent," reports Politico's Gabriel Debenedetti. While it's still up in the air whether he runs, "his activity has undergone a marked shift from just a few months ago, when Kasich and his allies repeatedly denied any

interest whatsoever in the White House."

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Indie favorite? Kasich, speaking Sunday on ABC's "This Week," offered the strongest signal yet that he may run for president as an independent, saying, "We may be beginning to see the end of the two-party system." The Columbus Dispatch's Jack Torry writes that Kasich said he has "no clue" what Democrats stand for and complained they have "no agenda."

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Health plan: Kasich and his counterparts from Colorado and Alaska were in Washington on Friday trying to refocus the nation's attention on health care. The bipartisan group of governors released a six-page blueprint that summarizes the best of the ideas they have proposed during the past year. Cleveland.com's Steve Koff has the details.

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Kasich's secret gun group: "Kasich said he is hoping that a secret group he's convened to find solutions to gun violence in the state will be able to deliver something by the end of next week to the General Assembly," writes Jessica Wehrman of the Dispatch. The governor "declined to lay out what the group is considering, but said they've reached agreements on four different issues."

= 9 **Stock split:** Cleveland.com's Andrew Tobias finds that Republican gubernatorial candidates Mike DeWine and Mary Taylor differ when it comes to banning bump stocks, devices that allow semi-automatic rifles to be effectively converted into automatic weapons. DeWine backs such a move; Taylor disagrees. But both support arming teachers to help improve school safety.

= 9 **Portman open to (some) gun measures:** Republican U.S. Sen. Rob Portman told cleveland.com's Seth Richardson on Saturday that Congress should look at some gun-control measures following last week's mass shooting at a Florida high school, including tightening background checks and raising the legal age a person can legally purchase a rifle from 18 to 21. But he stopped short of endorsing universal background checks and equivocated on an assault weapons ban.

= 9 **Powder scare:** "A white powdery substance found Friday in an envelope mailed to U.S. Sen. Rob Portman's Columbus office has been determined not to be harmful," writes Capitol Letter's Jeremy Pelzer. It's still unclear who mailed the powder or why it was sent.

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Legal limbo: Portman says he's "frustrated" that Trump is taking his time to appoint Greg Hartman as U.S. attorney for the Southern District of Ohio, according to Jason Williams of the Cincinnati Enquirer. It's unclear why Hartman's nomination remains in limbo, though Williams suggests it might be because the former Hamilton County commissioner publicly criticized Trump ahead of the 2016 Ohio presidential primary.

= 9 Labor bumps up GOP donations: Continuing a trend, four of the legislative Republicans' top five political action committee donors (and seven of their top 20 PAC donors) in 2017 were labor unions, the Dispatch's Jim Siegel reports. Such donations come as Ohio Republicans have resisted following neighboring states in passing a right-to-work law, among other measures affecting unions.

= 9 Joe boxer: State Sen. Joe Schiavoni, on the latest "Ohio Matters" podcast, says that he's been told that remaining in the Democratic gubernatorial primary "isn't the smartest political move that any politician has ever made" -- adding, "but who cares?" The Youngstown resident also talks about the Mahoning Valley, political corruption, and his past as a Golden Gloves boxer. Check out past podcasts [here](#).

= 9 Steel trap? U.S. Commerce Secretary Willbur Ross has recommended Trump impose steep tariffs or quotas on steel and aluminum imports -- a step supported by, among others, Democratic U.S. Sen. Sherrod Brown. But as Koff explains, other industries in Ohio -- including automobile makers and suppliers -- say they would be hurt by such a step.

= 9 New job: Mark Hamlin, Lt. Gov. Mary Taylor's chief of staff, is taking a senior policy position at the Ohio Department of Commerce, which helps oversee the state's nascent medical marijuana program, reports [cleveland.com's Jackie Borchardt](#). It's unclear how big of a role Hamlin will play in the program going forward.

= 9 Full Disclosure

Five things we learned from the [May 12 ethics disclosure of Cleveland Heights Democrat Rep. Janine Boyd](#).

= 9 1. In addition to her 2016 House salary of \$60,584, she earned between

\$10,000 and \$24,999 as a part-time federal policy advocate for Ohio Guidestone, a foster and family care services organization.

= 9 2. She earned \$1,000 to \$9,999 in rental income from a home in Cleveland Heights.

= A 3. She has retirement funds with the Ohio Public Employees Retirement System, Ascensus and Prudential. She has a money market with PNC Bank.

= 9 4. She owed at least \$1,000 each in 2016 to American Education Services, a Capital One credit card, a Lowe's credit card, a Pottery Barn credit card, the Classic Madison dealership and Quicken Loans mortgage.

= A 5. She received gifts worth at least \$75 from actor Jackson Biesecker, the Ohio Democratic Party and the Democratic National Committee.

= 9 On The Move

= 9 Chris Binder has been hired as campaign manager for Democratic Franklin County Recorder Danny O'Connor's bid for Ohio's 12th U.S. House seat, vacated by Pat Tiberi. Binder formerly was campaign coordinator for the successful 2015 campaign of Louisiana Gov. John Bel Edwards.

= 9 Also, O'Connor's campaign announced it hired AKPD Message and Media as a media consultant and The Strategy Group for direct mail.

= 9 What's Going On Today

10 a.m. – Lawmakers to unveil bill in reaction to transgender ruling: Rep. Tom Brinkman, along with other legislators and conservative activists, are slated to announce legislation and other actions in response to a recent Hamilton County court ruling that a transgender teen can undergo hormone therapy despite objections from the teen's parents. *Hamilton County Courthouse steps, 1000 Main St., Cincinnati.*

= 9 10:45 a.m. – Rich Cordray to campaign with Nan Whaley in Dayton: The Democratic gubernatorial candidate is set to appear with the mayor of Dayton and

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= 9 1. In addition to her 2016 House salary of \$60,584, she earned between

other local leaders to discuss pre-K expansion. *Rainbow Years Child Care, 2727
Smithville Rd, Dayton.*

1:30 p.m. – Controlling Board. *North Hearing Room, Senate Building.*

= 9 7 to 9 p.m. – Ohio 12th Congressional District candidate forum: The event, held by Indivisible Ohio District 12 and ProgressOhio, will feature all seven Democratic candidates, as well as Republican candidate Lawrence Cohen and Green Party candidate Joe Manchik. *First Unitarian Universalist of Columbus, 93 W. Weisheimer Rd.*

Birthdays

= 9 Rep. Niraj Antani

Straight From The Source

= 9 “We’ll get through this as we always do, by working together.”

- Gov. John Kasich, in a statement Saturday announcing an emergency declaration in support of 17 Ohio counties affected by flooding.

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essential first read of the morning. Email us at

Capitolletter@cleveland.com.

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From: Westlake, Libby
Sent: Monday, February 26, 2018 8:54 AM
To: Westlake, Libby
Subject: E-Clips for 2/26/2018

HOUSE E-CLIPS

2/26/2018

AP Associated Press

FUTURE UNCERTAIN AS OHIO HIGHER EDUCATION BOARD SITS IDLE

The future of Ohio's once-powerful higher education advisory board remains uncertain as lawmakers move to change the way the state oversees education.

OHIO MOVES TO ADD WRIGHT FLYER TO STATE SEAL AMID DISPUTE

Ohio is staking another public claim to the Wright brothers' legacy amid a dispute with Connecticut over an aviator that state says flew first.

GOP GOVERNOR TAPS ADVISERS FOR GUN POLICY TALKS

Ohio Gov. John Kasich says he has convened a diverse group of advisers on gun policy to help him come up with a consensus policy proposal that he can bring forward in the coming days.

The Columbus Dispatch
Ohio's Premier Online Newspaper

MEDICAL MARIJUANA MAY ARRIVE LATE IN OHIO

From litigation to audits to legislation, the attempted fixes are piling up for an Ohio medical marijuana program that has been beset by problems.

DEMOCRATIC CANDIDATES FOR OHIO GOVERNOR HOPE TO WIN BACK TRUMP

VOTERS

Getting Ohio Democrats who voted for President Donald Trump back into the fold was a theme Sunday as Democratic candidates for governor appeared before the public in Marysville.

KASICH FAVORS ARMING TEACHERS, AGAINST 'STAND YOUR GROUND'

Ohio Gov. John Kasich said he is hoping that a group he's quietly convened to find solutions to gun violence in the state will be able to deliver something by the end of next week to the General Assembly.

FRUSTRATED ACTIVIST BASHES KASICH, EYES RECREATIONAL WEED

An architect of Ohio's medical marijuana law Friday accused Gov. John Kasich of intentionally torpedoing the state's program, which is supposed to start in September.

UNION MONEY NOW FUELS GOP LEGISLATIVE CAMPAIGNS IN OHIO

Ohio has increasingly become an island among states that have passed a right-to-work law — an initiative strongly opposed by labor unions.

NEARLY NEW LINEUP AT DEMOCRATS' NEXT OHIO GOVERNOR DEBATE IN

TOLEDO

When four Democratic candidates for Ohio governor gathered for a debate in Columbus in October, they spent their time discussing Ohio's opioid crisis, the scandal surrounding online charter school ECOT, and the financial cost to local communities of state tax breaks for businesses.

KASICH ASSAILS DEMOCRATS FOR LACKING AGENDA

Launching a spirited attack against the Democratic Party, Ohio Gov. John Kasich charged he has "no clue" what Democrats stand for and complained they have "no agenda."

CAPITOL INSIDER: KASICH CHANGES HIS TUNE ON 'ASSAULT WEAPONS' VOTE

Ohio Gov. John Kasich's evolution on gun issues apparently continues.

EDITORIAL: DOING NOTHING IS NO LONGER ACCEPTABLE

Gun-rights advocates in the Ohio House of Representatives had every reason to expect House Bill 228 to pass easily, further dismantling the state's already-flimsy regulation of deadly weapons.

Dayton Daily News
www.daytondailynews.com

ANTHEM BLUE CROSS BLUE SHIELD ER POLICY CRITICIZED BY OHIO

LAWMAKERS

Several Democratic state lawmakers want to penalize Anthem Blue Cross Blue Shield for a new policy that does not cover some emergency room visits deemed by the insurer not to be emergencies.

THE PLAIN DEALER

KASICH, OTHER GOVERNORS RESTATE NATIONAL NEED TO DEAL WITH HEALTH

CARE COSTS AND QUALITY

Ohio Gov. John Kasich and his counterparts from Colorado and Alaska came to the nation's capital Friday to remind policy makers, businesses and the public: There's still much work to do on health care.

'YOU KNOW, WHEN YOU GET PUNCHED, AT LEAST IT ONLY HURTS FOR A

MINUTE' OHIO MATTERS: EPISODE 6 - JOE SCHIAVONI

State Sen. Joe Schiavoni acknowledges the Democratic gubernatorial primary has been a tough fight so far.

REPUBLICAN OHIO GOVERNOR CANDIDATES SUPPORT ARMING TEACHERS TO HELP PREVENT SCHOOL SHOOTINGS

Both Republican candidates for Ohio governor say they support arming teachers as part of an approach to prevent further school shootings.

STATE EMPLOYEES WITH CLAIMS PROCESSED BY ANTHEM NOT AFFECTED BY NEW ER RULE

State employees are not affected by a new Anthem Blue Cross Blue Shield rule that leaves some policyholders with emergency-room bills when the company determines they didn't need emergency care.

OHIO RECREATIONAL MARIJUANA BALLOT MEASURE MIGHT NOT HAPPEN IN 2018, BACKER SAYS

Ohioans hoping to vote to legalize recreational marijuana this year will likely have to wait a little longer, perhaps as long as two years.

FACT CHECK: OHIO DEMOCRATS TAKE FRANK LAROSE'S REMARKS OUT OF CONTEXT

The Ohio Democratic Party on Friday circulated a 13-second audio recording of Republican Frank LaRose, a candidate for secretary of state, claiming that he was bragging about a Republican plan to gerrymander states across the country, including Ohio in 2011.

MARY TAYLOR'S CHIEF OF STAFF HAS NEW JOB WITH OHIO'S MEDICAL MARIJUANA PROGRAM

A longtime Kasich administration staffer has a new job advising Ohio's nascent medical marijuana program, but few details were available Friday about what he will do in the new role.

ROLL OF SHAME OF OHIO LAWMAKERS WHO OVERRODE GOP GOV. TAFT'S 2006 VETO, ENDING CITIES' BANS ON MASSACRE-CAPABLE WEAPONS: THOMAS SUDDER

Some Ohioans sincerely believe the Second Amendment trumps any attempt to regulate massacre-capable guns.

FIRSTENERGY CAN'T BE ALLOWED TO POCKET CORPORATE-TAX-CUT WINDFALL AND SHORT CUSTOMERS: EDITORIAL

The last time U.S. corporate tax rates were slashed, during the Reagan administration, some state utility regulators were slow off the mark in making sure investor-owned utilities didn't just pocket the profits without adjusting consumer bills, The New York Times reports.

THE ENQUIRER

THE NRA HAS A LOVE-HATE RELATIONSHIP WITH THESE OHIO REPUBLICANS
- AND DEMOCRATS.
The National Rifle Association has long supported Republicans around the country, and vice versa.

THE BLADE
Board of Directors: James Thompson

LITIGATION PROCEEDS OVER MEDICAL MARIJUANA LICENSING
A lawsuit that could endanger the timeline for Ohio's rollout of its fledgling medical marijuana program will forge ahead despite proposed legislation to give the state a chance to correct licensing flaws.

From: The Buckeye Institute
Sent: Monday, February 26, 2018 1:39 PM
To: Kasych, Shawn
Subject: ICYMI: In a piece for National Review Buckeye's Robert Alt looks the funding of Janus v. AFSCME

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In a piece for National Review, Buckeye's Robert Alt looks at the funding of *Janus v. AFSCME*, saying, "What is surprising is the fact that Mark Janus is personally funding a cadre of high-priced lawyers with one goal: making sure that Mark *loses* his case."

NATIONAL REVIEW

The Money Behind *Janus*: It's Deja vu All Over Again

National Review
By Robert Alt
February 26, 2018

This morning, the Supreme Court will hear oral arguments in *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. The case asks a similar question to one raised just two years ago in *Friedrichs v. California Teachers Association* - namely whether forcing a public employee to choose between subsidizing a union's political speech or being subject to termination for failure to do so violates the First Amendment.

Coming so soon after *Friedrichs* - a case in which the Court deadlocked 4-4 after the tragic and untimely death of Justice Scalia - *Janus* has a déjà vu quality to it. The sense that we have seen all of this before is nowhere more palpable than in the public arguments marshaled by some of the more liberal elements of the media against Mark Janus's case.

Bereft of sufficient legal arguments to justify the First Amendment violations perpetuated against public servants, left-wing publications have resorted to attacking the messenger. Mark Janus, a child-support specialist for the state of Illinois, is accused of being an agent of big corporations and billionaires. The proof? The public-interest law firms that represent Mr. Janus - namely Liberty Justice Center and the National Right to Work Legal Foundation - are accused of taking donations from charitable foundations that support free-market policy.

Just as in *Friedrichs*, it is perfectly unsurprising that foundations and individuals voluntarily would give to non-profit, public-interest law firms that provide free representation to their clients. Indeed, public-interest firms on both the left and the right regularly rely on charitable donations to carry out their work.

What is surprising is the fact that Mark Janus is personally funding a cadre of high-priced lawyers with one goal: making sure that Mark *loses* his case. Why would he pay for the lawyers arguing against him? Because he has no choice. Mark is required to pay agency fees to the union, which are used for chargeable expenses like litigation, or he can be fired. And, of course, he is required to pay for political collective bargaining speech, or he can be fired.

This is the real story of the money behind the *Janus* case-a story of forced contributions for political speech. But the story could have a happy ending. The Supreme Court will hear arguments today in a case that could vindicate the First Amendment rights of

millions of Americans like Mark Janus. For Rebecca Friedrichs, for Mark Janus, and for all the workers who are being denied a voice and a choice, let's hope that the second time is the charm.

Robert Alt is the president and chief executive officer of The Buckeye Institute.

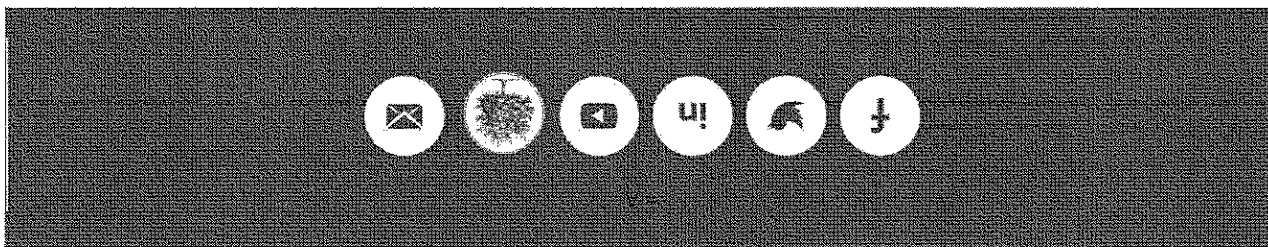
###

Founded in 1989, The Buckeye Institute is an independent research and educational institution - a think tank - whose mission is to advance free-market public policy in the states. The Buckeye Institute is a non-partisan, non-profit, and tax-exempt organization, as defined by section 501(c)(3) of the Internal Revenue code. As such, it relies on support from individuals, corporations, and foundations that share a commitment to individual liberty, free enterprise, personal responsibility, and limited government. The Buckeye Institute does not seek or accept government funding.

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The Buckeye Institute, 88 East Broad Street,
Suite 1120, Columbus, OH 43215

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FEATURE STORY

Inside the decision: California regulators preserve retail rate net metering until 2019

After months of intense lobbying and studying of proposals, California regulators handed the rooftop solar sector a vital win in its most important market.

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Feb 1, 2016

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From: Utility Dive

Sent: Monday, February 1, 2016 10:41 AM

To: Kasych, Shawn

Subject: Feb. 01 - Dominion to buy gas co. Questar; What's in the CA net metering ruling

Dominion to buy gas distributor Questar for \$4.4B
The Virginia-based electric and gas utility will deepen its investment in natural gas, the company announced Monday.

CA regulators approve \$45M SDG&E electric vehicle charger rollout
SDG&E joins SoCal Edison in the electric vehicle infrastructure space as California pushes toward its goal to have 1.5 million zero-emission vehicles on the road by 2025.

17% of Hawaiian Electric customers now have rooftop solar
Hawaii's electric utility has now processed over 77,000 solar PV interconnection applications.

After SCOTUS decision, exiting FERC member Clark pushes for review of DR compensation
"As it so often is, it is about the money," FERC Commissioner Tony Clark wrote in a response to the Supreme Court's decision on Order 745 and the commission's jurisdiction over demand response.

Sonnen leverages rooftop solar, financing partners to sell storage systems in US
German energy storage company Sonnen has formed two partnerships as part of its strategy to sell storage systems into the U.S.

Arizona regulator tells APS to open books on political contributions

A member of the Arizona Corporation Commission is demanding to see details of political expenditures made by Arizona Public Service.

Iowa utilities surprised at proposed legislation to cut net metering rate

The bill was introduced by a lawmaker with ties to the American Legislative Exchange Council, which has worked revamp the net metering policy. Utilities say they had no idea the bill was being considered.

FEATURE STORY
Renewable Portfolio Standards offer billions in benefits, LBNL study finds
Renewables are bringing down power prices in markets across the nation, according to a new report.

[Read more news](#)

WHAT WE'RE READING

EE&E DAILY
Senate hopes to finish broad energy package by week's end

INSTITUTE FOR ENERGY ECONOMICS AND FINANCIAL ANALYSIS
U.S. coal moratorium may have more long-term impact than EPA's Clean Power Plan

Net metering rules may change Nevada's green energy strategy

GREENTECH MEDIA

Is high-voltage DC the best way to modernize the grid and reduce emissions?

FORBES

U.S. Senate wants to decrease CO2 by increasing nuclear energy

RIPR

Energy coalition says Rhode Island needs a carbon tax

PLATTS

U.S. coal producers seek strategies with more output flexibility

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From: Smith, Kristen
Sent: Tuesday, February 2, 2016 8:15 AM
Subject: E-Clips for 2/2/2016

HOUSE E-CLIPS

02/02/16

AP Associated Press

LABOR-BACKED GROUP REMINDS OHIOANS OF UNION LAW'S DEFEAT
A labor-backed group that helped defeat collective bargaining restrictions in Ohio says it's using the five-year anniversary of the union law to remind supporters to stay active and engaged in its efforts.

OHIO SUPREME COURT HEARS INJURY LAWSUIT OVER POLICE CHASE
The Ohio Supreme Court will hear arguments in the case of a woman who sued police over injuries she suffered after a high-speed chase ended with a burglary suspect colliding with her car.

OHIO PROSECUTOR SEEKS NEW LAW ON POLICE USE-OF-FORCE PROBES
A county prosecutor in Cleveland wants the Ohio Legislature to amend state laws to allow the Ohio attorney general to present deadly police use-of-force cases to grand juries.

OHIO COURT APPROVES CLASS ACTION IN SPEED CAMERA CASE
A state appeals court approved class action status on Monday for thousands of motorists fined for speeding in a southwest Ohio village with citations issued from automatic camera enforcement.

LEGAL COSTS INVOLVING CONVICTED OHIO JUDGE COULD REACH \$1.7M
The cost of court cases brought for and against a juvenile court judge in southwest Ohio who was convicted of a felony charge after a legal battle over her election as judge could reach nearly \$1.7 million.

The Columbus Dispatch
Ohio's Largest Online Newspaper

WITH FOCUS NOW ON NEW HAMPSHIRE, FOR KASICH IT'S DO OR DIE

Ohio Gov. John Kasich knows his presidential campaign won't survive a poor showing in next week's New Hampshire primary, and his schedule reflects it.

GROVE CITY SENDS 'PUPPY MILL' BILL BACK FOR MORE WORK

The sponsor of legislation that would have banned the sale of "puppy mill" animals in Grove City withdrew the proposal Monday night, vowing to come up with "a clean ordinance."

OHIO'S HIGHER PRESCHOOL SPENDING STILL LAGS MOST STATES

Ohio's spending on public preschool programs increased this year, like most states.

KASICH TO MAKE HEAVY PUSH IN NEW HAMPSHIRE AHEAD OF PRIMARY

It's do or die for Ohio Gov. John Kasich's presidential campaign over the next week in New Hampshire, and his schedule reflects it.

OHIO POLITICS NOW: A LOOK AT IOWA AND BEYOND TO NEW HAMPSHIRE

Now that people are finally going to start voting (or caucusing as the case is in Iowa today) we get a look at how much the presidential candidates have to get their word out to voters.

OHIO POLITICS NOW: 'THE REAL RACE BEGINS IN NEW HAMPSHIRE' KASICH

CAMPAIGN SAYS

A couple of surprises from the Iowa caucuses could affect how Ohio Gov. John Kasich fares in the New Hampshire primary one week from today.

KASICH GETS MOST OF HIS CAMPAIGN CASH FROM OHIO

Ohio Gov. John Kasich may not be leading most other presidential candidates in fundraising, but he can take some comfort in the fact that he's doing far better than any of them in the state that twice elected him governor.

MARY TAYLOR COMMITTEE RAISED \$146,500 LAST YEAR

Onward Ohio, the nonprofit political organization formed by Republican Lt. Gov. Mary Taylor to elevate her visibility ahead of a potential run for governor in 2018, raised six-figures in a few months.

Dayton Daily News

www.daytondailynews.com

KASICH DONORS INCLUDE SCHWARZENEGGER

Former California Gov. Arnold Schwarzenegger was among the \$2,700 donors to Republican Gov. John Kasich's presidential campaign committee, records filed with the Federal Election Commission Sunday show.

THE PLAIN DEALER

JOHN KASICH'S TEAM ON IOWA CAUCUS FINISH: 'THE REAL RACE BEGINS IN

NEW HAMPSHIRE'

Ohio Gov. John Kasich had no expectations for the Iowa caucuses.

IOWA IN THE BOOKS, NEW HAMPSHIRE IS NEXT, AND JOHN KASICH IS ALREADY

LOOKING TO SOUTH CAROLINA: OHIO POLITICS ROUNDUP

Iowa is done. New Hampshire is next. John Kasich smacks down his super PAC.

PRESIDENTIAL CANDIDATES JOIN JOHN KASICH ON NEW HAMPSHIRE

CAMPAIGN TRAIL: WHAT TO WATCH FOR TUESDAY

With the Iowa caucuses over, many presidential candidates will spend Tuesday in New Hampshire, including Republicans Jeb Bush, Chris Christie, Ted Cruz, Marco Rubio, and Donald Trump, as well as Democrats Hillary Clinton, Bernie Sanders.

REPUBLICAN LOBBYING FIRM OPENS CLEVELAND OFFICE, HIRES TOP

CUYAHOGA GOP OFFICIAL

A Republican lobbying firm with Cleveland roots is expanding its presence here by opening a Playhouse Square office and hiring Cuyahoga County's top GOP official.

THE ENQUIRER

IOWA CAUCUS SURPRISES MAY HURT JOHN KASICH'S NEW HAMPSHIRE

PRIMARY EFFORT

John Kasich gained only about 2 percentage points in the Iowa caucus Monday night, but so did his top rivals, boosting his campaign's hope for a strong showing in New Hampshire.

TWO GOPERS FEUD OVER LIQUOR CABINET

GOP challenger Courtney Combs says Rep. Wes Retherford treated the statehouse like a frat house, but the incumbent argues that one drink cabinet in his office wasn't improper.

IN NH, KASICH ADS LEAD TO ANGST

John Kasich says his rivals should follow his lead and call on the super PACs supporting them to take down negative advertisements.

THE BLADE

KASICH DIGS IN FOR FINAL STRETCH IN N.H.

Gov. John Kasich has started his final week in New Hampshire, banking on a breakout performance for his presidential aspirations.

CVS TO SELL OVERDOSE ANTIDOTE TO ANYONE

Christa Lammers told a packed audience of politicians, local law enforcement, health-care workers, and substance abuse officials Monday that her brother Jeffrey Shirey, 37, was a heroin addict.

CantonRep.com
CONNECTING PEOPLE, PLACES, AND COURTESY

OHIO HIGH COURT PACKS DRILLING RIGHTS IN YEARS-LONG CASE

A years-long battle over oil and gas leases ended last month when the Ohio Supreme Court upheld contract language that underpins drilling rights on thousands of properties across the state.

ARNOLD SCHWARZENEGGER HELPS KASICH CAMPAIGN WITH MAX DONATION

Republican Gov. John Kasich's presidential campaign committee and the independent organization supporting him spent \$11.4 million during the final three months of last year as part of his effort to finish among the top three contenders in next week's New Hampshire primary.

EDITORIAL: STATE LEGISLATOR BELITTLES OPPONENT

The photo caught our eye, not only because we thought it was cute, but also because it showed the dedication state Rep. Christina Hagan, R-Marlboro Township, has for her job.

From: Maxwell, Dan
Sent: Thursday, February 18, 2016 3:28 PM
To: House_All
Subject: Request for Co-Sponsorship – Paid Parental Leave



MEMORANDUM

TO: All House Members
FROM: Representative Christie Kuhns and Representative Janine Boyd
DATE: February 18, 2016
RE: Request for Co-Sponsorship – Paid Parental Leave

We will soon introduce legislation to create the Family and Medical Leave Insurance Program. Beginning in 2020, the program will provide 12 weeks of family and medical leave benefits, which will permit individuals to care for a family member, bond with a new child, or address their own serious health condition.

Out of 178 countries worldwide, the United States is one of three that does not provide paid leave to new mothers. Only two states, California and New Jersey, offer paid leave to men and women who provide care. The federal Family Medical Leave Act provides 12 weeks of leave for family and medical reasons. This time is unpaid and employers with fewer than 50 employees are exempt, which eliminates a large segment of workers. Ohio should lead on the issue of paid leave to grow our economy and allow working people to put family first.

The program will be under the purview of the Department of Job and Family Services. An individual would receive leave insurance benefits for a health condition which makes him/her unable to perform their job duties; caring for a new child during after birth, adoption, or foster care placement; caring for a child, parent, or spouse who has a serious health condition; or the individual is taking any other leave as authorized by the federal Family and Medical Leave Act. In order to be eligible for program benefits, an individual must file a claim with ODJFS; must have worked at least 680 hours during the base period; premiums

have been withheld and remitted for at least one year; and the leave must be for the above-mentioned purposes.

Once established, program benefits will be paid by assessing premiums on employees. Employers will be required to deduct and withhold premiums from employee's wages. However, an employer may opt to pay the contributions on behalf of employees.

An employee who is covered by an employer policy or collective bargaining agreement that provides the employee with greater leave than that provided by the Family and Medical Leave Act may elect not to participate in the Program in accordance with rules adopted by the Director. An employee who elects to opt out of participating in the Program is not liable for any premium or contribution that would otherwise be due under the Program.

Working people in Ohio should not have to worry about losing their job or falling behind financially just to take care of a sick child or relative; address their own serious health condition; or care for and bond with their newborn child. Ohio cities like Dayton and Cincinnati are leading on leave. By allowing working people to put their family first, we can truly make Ohio a better place to live, work, and raise a family.

If you have any questions or would like to co-sponsor this legislation, please contact Dan Maxwell, at 466-1645 or via email at Dan.maxwell@ohiohouse.gov. **The deadline to co-sponsor is Monday February 29th at 5:00pm.**

From: Maxwell, Dan
Sent: Thursday, February 18, 2016 3:56 PM
To: House_All
Subject: Request for Co-Sponsorship – Paid Family and Medical Leave



MEMORANDUM

TO: All House Members
FROM: Representative Christie Kuhns and Representative Janine Boyd
DATE: February 18, 2016
RE: Request for Co-Sponsorship – Paid Family and Medical Leave

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If you have any questions or would like to co-sponsor this legislation, please contact Dan Maxwell, at 466-1645 or via email at Dan.maxwell@ohiohouse.gov. The deadline to co-sponsor is Monday February 29th at 5:00pm.

From: Lundregan, Scott
Sent: Friday, February 19, 2016 6:03 PM
To: Kasych, Shawn; Russell, Dustin
Subject: RE: Bills

HB 347 (McColley, Brinkman)

This bill strikes a balance between ensuring that innocent property owners do not have to hire a lawyer to fight to get their property back when they have not been criminally charged while also affording prosecutors the opportunity to use the process when a criminal conviction is not possible because the property is unclaimed, or the defendant is either dead or missing. The bill limits the use of the civil asset forfeiture process to situations where:

- The property owner is deceased.
- An indictment for a felony has been filed against the property owner, a warrant was issued for the arrest of the property owner, and either of the following applies:
 - o The property owner is outside the state and unable to be extradited or brought back to the state for prosecution for the felony.
 - o Reasonable efforts have been made by law enforcement authorities to locate and arrest the property owner, but the property owner has not been located.
- Despite reasonable efforts by law enforcement authorities to identify the property owner, the property owner is unidentifiable.

The bill also requires that the prosecutor must prove that the property at issue was connected to the commission of a crime by clear and convincing evidence.

The bill limits the use of the federal forfeiture process to situations where the forfeiture concerns property totaling \$50,000 or more. Additionally, the bill creates a new penalty of possession of drug or human trafficking proceeds irrespective of whether the defendant has actual knowledge of the underlying drug or human trafficking violation.

HB 347 does not change anything in relation to law enforcement's ability to seize property that they have probable cause to believe is connected to a crime. This bill is supported by a wide ranging of varying interest groups including Freedom Works, The Buckeye Institute, The ACLU, and The NAACP among many others.

-----Original Message-----

From: Kasych, Shawn
Sent: Friday, February 19, 2016 8:25 AM
To: Russell, Dustin <Dustin.Russell@ohiohouse.gov>; Lundregan, Scott <Scott.Lundregan@ohiohouse.gov>
Subject: Re: Bills

Dustin,

Can you help corral these today.

Scott,

Any land mines you see from legal side on the agenda for next week. Also, please put together snap for CAF.

THANKS GUYS

> On Feb 19, 2016, at 7:27 AM, Kasych, Shawn <Shawn.Kasych@ohiohouse.gov> wrote:

> Good morning team,

> The following bills will be on the floor next week. Please help me confirm my votes on these bills.
> I'm doing this all on the fly.

> Please prepare and process your respective bill briefs. Also, please see examples of snapshots. For each bill I would appreciate a similar style snapshot put together for these bills.

> Thanks guys!

> Policy Calendar

> Tuesday, February 23rd

> Caucus - 10:00AM - 11:00AM

> Session - 11:00AM

> Floor Calendar:

> H.B. 305 - Rep. Schuring - Reported from Finance Committee (23-0)
> Removes non-teaching staff from University of Akron from STRS/SERS and
> places them in PERs / Jason Gresko Act backdating

> H.B. 290 - Reps. Sprague/Anielski - Reported from Health and Aging

> (9-0) Right To Try - permits terminally ill patients to take drugs

> being clinically tested

> H.B. 325 - Reps. Green/O'Brien - Reported from Health Committee (9-0)

> Maidens Law - promotes pregnant women with addiction problems to seek

> treatment services

> H.B. 241 - Reps. Grossman/Curtin - Reported from State Government

> Committee (9-0) Names September "Hunger Action Month"

> H.C.R. 21 - Reps. Romanchuk/Antonio - Reported from Health and Aging

> (15-0) Request guidance from federal government on DD

> employment/services

> S.B. 124 - Sen. Thomas - Reported from Health and Aging Committee

> (13-0) Designates May as "Asthma Awareness Month" and May 5th as "Childhood Asthma

> Awareness Day"

> up and until the minor is 16 years old, at which time they would be responsible for their own
> "freezing" of credit.
> > The bill received support in the Financial Institutions, Housing, and Urban Development Committee
> from the Ohio Attorney General, and the Consumer Data Industry Association. The bill was reported
> unanimously.
> > > > > H.B. 217 – Rep. Ruhl
> > House Bill 217 sponsored by Rep. Margaret Ann Ruhl continues to promote the expansion of scope
> of practices for advanced practitioner nurses. These expansions have had a positive impact on patient
> satisfaction and often times can help lead to lower healthcare costs for patients.
> > Ohio law currently authorizes psychiatrists, licensed clinical psychologists, licensed physicians,
> health officers, parole officers, police officers, and sheriffs to have an individual involuntarily
> transported to a hospital for up to twenty-four hours for a mental health examination if there is
> evidence that the individual represents a substantial risk of physical harm to self or others. Adding
> qualified advanced practice registered nurses to that list of authorized professionals will allow for
> faster and more efficient care, and improve the safety of both the individual and the surrounding
> community.
> > The bill was reported unanimously from the House Health and Aging Committee and received
> support from the Ohio Nurses Association and the Advanced Practitioner Nurses Association. The bill
> was unopposed.
> > H.B. 58 – Reps. Sheehy and Cera
> Ohio's Move Over Law has been in operation since 2004 and currently provides that drivers of
> motor vehicles either change lanes or slow down when approaching a stationary public safety vehicle,
> an emergency vehicle, or a road service vehicle that is displaying visual signals (flashing lights).
> House Bill 58, sponsored by Reps. Sheehy and Cera simply adds "waste collection vehicles"
> (garbage trucks) that display flashing lights to the list of vehicles covered under the Move Over Law.
> The bill was reported unanimously from the House Transportation and Infrastructure Committee
> (15-0) and received no opposition.
> > > > > Sent from my iPad

From: Kasych, Shawn
Sent: Saturday, February 20, 2016 10:08 AM
To: michael.dovilla@gmail.com; Pelanda, Dorothy
CC: Dittoe, Michael
Subject: Additional Whip

This bill could potentially be on the floor Wednesday. Rep. McColley has spoken to a large number of members initially, so many members will and should have a good idea about this bill.

Please let me know if there are any problems or questions.

HB 347 (McColley, Brinkman) - Pending in Judiciary

This bill strikes a balance between ensuring that innocent property owners do not have to hire a lawyer to fight to get their property back when they have not been criminally charged while also affording prosecutors the opportunity to use the process when a criminal conviction is not possible because the property is unclaimed, or the defendant is either dead or missing.

The bill limits the use of the civil asset forfeiture process to situations where:

- * The property owner is deceased.
- * An indictment for a felony has been filed against the property owner, a warrant was issued for the arrest of the property owner, and either of the following applies:
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 - Reasonable efforts have been made by law enforcement authorities to locate and arrest the property owner, but he property owner has not been located.
- * Despite reasonable efforts by law enforcement authorities to identify the property owner, the property owner is unidentifiable.
- * The property owner has not claimed the property or asserted any interest in it

during or after its seizure and all other claims have been denied.

The bill also requires that the prosecutor must prove that the property at issue was connected to the commission of a crime by clear and convincing evidence.

The bill limits the use of the federal forfeiture process to situations where the forfeiture concerns property totaling \$50,000 or more.

Additionally, the bill creates a new penalty of possession of drug or human trafficking proceeds irrespective of whether the defendant has actual knowledge of the underlying drug or human trafficking violation.

HB 347 does not change anything in relation to law enforcement's ability to seize property that they have probable cause to believe is connected to a crime.

This bill is supported by a wide ranging of varying interest groups including Freedom Works, The Buckeye Institute, The ACLU, and The NAACP among many others.

Shawn Kasych
Majority Policy Director
614.466.0863

From: Kasych, Shawn
Sent: Saturday, February 20, 2016 11:07 AM
To: michael.dovilla@gmail.com; Pelanda, Dorothy
CC: Dittoe, Michael
Subject: Re: Additional Whip

Actually. Please hold off on this whip for right now. At this time we do not need a whip.

I'm sorry for the confusion.

Shawn Kasych
Majority Policy Director
614.466.0863

On Feb 20, 2016, at 10:07 AM, Kasych, Shawn <Shawn.Kasych@ohiohouse.gov> wrote:

This bill could potentially be on the floor Wednesday. Rep. McColley has spoken to a large number of members initially, so many members will and should have a good idea about this bill.

Please let me know if there are any problems or questions.

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Shawn Kasych
Majority Policy Director

614.466.0863

From: Gongwer News Service
Sent: Monday, February 22, 2016 6:56 PM
To: Kasych, Shawn
Subject: Ohio Report, Monday, February 22, 2016
Attachments: Feb22House.htm; Feb22Senate.htm; 160222dayplan.htm



Ohio Report for Monday, February 22, 2016

Higher Education MBR Expands Community College Options, Implements
Affordability Recommendations

Education 'Deregulation' Bill Amendments On Hold, Chairman Says

Former Lawmakers Look To Replace Faber In The Senate

After One Candidate Drops Out, Three Republicans Face Off In House
District 47 Primary

Kasich Jostles With Rubio For Bush Donors Following SC; Graham, Sabato
Mull Potential Rubio-Kasich Ticket

Politics Notebook: Kasich Draws Attention For 'Kitchen' Remark, Signs PP
'Defund' Bill; Poll Shows 74% Of Ohioans Support Medicinal Pot...

Court Briefs: High Court Sets Execution Date; Visiting Judge To Hear Case;
Web Site On Judicial Candidates Updated

Capitol Scene: Chabria To Leave Gov's Office, Join ORP; Staff Changes
Announced At Buckeye Institute, AICUO, HPLO

Gongwer Statehouse Job Market Updated

Supplemental Agency Calendar

Supplemental Event Planner

Activity Reports

House

Senate

Calendars

Day Planner

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House Activity for Monday, February 22, 2016

INTRODUCED

HB 471 ■ **COMMISSION ELIMINATION (Brown, I.)** To formally abolish certain boards and commissions that have completed their work and to abolish the Compact with Ohio Cities Task Force.


HB 472 ■ **RENEWABLE ENERGY (Strahorn, F.)** To unfreeze the requirements for renewable energy, energy efficiency, and peak demand reduction, to permit changes in and Public Utilities Commission action on electric distribution utility portfolio plans in 2016, to revise the setback requirement for economically significant wind farms, and to repeal the setback requirement for wind farms of fifty megawatts or more.


SB 124 ■ **AWARENESS DAY/MONTH (Thomas, C.)** To designate May as "Asthma Awareness Month" and to designate May 5 as "Childhood Asthma Awareness Day."

HB 241 ■ **MONTH DESIGNATION (Grossman, C., Curtin, M.)** To designate the month of September as "Hunger Action Month."


HB 290 ■ **TERMINAL PATIENTS (Sprague, R., Antelski, M.)** To permit a physician to treat a terminally ill patient with a drug that is not approved by the United States Food and Drug Administration and permit a drug manufacturer to provide such a drug to the patient or physician.

HB 305 ■ **RETIREMENT SYSTEMS (Schuring, K.)** To include new nonteaching employees of The University of Akron as members in the Public Employees Retirement System and to make an appropriation for the University's School Employees Retirement System employer surcharge payments.

HB 325  **DRUG ADDICTION TREATMENT (Green, D., O'Brien, S.)** Regarding encouraging pregnant women who are addicted to controlled substances to seek treatment.

HCR 21  **DD EMPLOYMENT SERVICES (Romanchuk, M., Antonio, N.)** To urge the Congress of the United States to request that the federal Centers for Medicare and Medicaid Services revise its guidance on employment services for individuals with developmental disabilities to maintain their right to participate in programs offered by facility-based day programs, training centers and sheltered workshops.


SIGNED BY THE GOVERNOR

HB 294  **ABORTION (Patmon, B., Condit, M.)** To require the Department of Health to ensure that state funds and certain federal funds are not used either to perform or promote nontherapeutic abortions, or to contract or affiliate with any entity that performs or promotes nontherapeutic abortions; to provide for health departments and WIC clinics to determine presumptive eligibility for pregnant women and children; and to allocate existing funding within the Ohio Department of Health's budget to the Ohio Association of Community Health Centers for safe sleep, birth spacing, and smoking cessation initiatives.

Signed: February 21, 2016

Gongwer Coverage

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Click the  after a bill number to create a saved search and email alert for that bill.

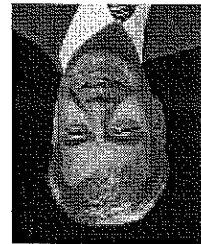
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Volume #85, Report #34 -- Monday, February 22, 2016
Higher Education MBR Expands Community College Options, Implements Affordability Recommendations

The administration continues its focus on lowering the cost of college degrees in a higher education mid-biennium review plan unveiled Monday.

The proposal would allow community colleges to offer up to 10 bachelor's degree programs and would create a pilot program in which high school students can receive college credit for math and English remediation courses.

Among other MBR provisions Chancellor John Carey announced at a press event at Lorain County Community College, universities would be required to implement a handful of recommendations from the governor's Task Force on Affordability and Efficiency in Higher Education. (Fact Sheet)



John Carey

"The issue of college affordability is more important than ever. Across the country, the cost of college has far outpaced consumer price index and even healthcare costs. That cost has put the American dream of a college degree out of reach for a growing number of students and families. This is unacceptable," Mr. Carey said.

"Controlling college costs to ensure that more Ohioans can obtain a college degree or credential remains a top priority for Governor Kasich and the General Assembly."

Additional provisions in the bill that Rep. Tim Brown (R-Bowling Green) is expected to introduce on Tuesday include:

- Requiring the Department of Education to study income-sharing agreements as a possible strategy to reducing student loan debt.
- Becoming the 10th state to join the Midwest Exchange Program, which is a tuition reciprocity program that would allow students to enroll in programs at other

states' institutions at a tuition rate that's lower than what typical out-of-state students would pay.

- Creating more "3+1" pathways between two- and four-year institutions so that students are studying at cheaper community colleges longer.
- Joining a partnership with the Western Governors University to award degrees in four areas based on competency and not just the amount of time spent in the classroom.

Joining Mr. Carey were higher education leaders who applauded the plans to expand efforts to reduce higher education costs by supporting dual enrollment programs and pushing collaboration between universities and colleges.

Other speakers included: Lorain County Community College President Roy Church; Sinclair Community College President Steve Johnson; Ray Craig, dean of Bowling Green State University's College of Arts and Sciences; Frank Calzone, vice president of government affairs at the University of Toledo; Sen. Gayle Manning (R-N. Ridgerville); and two LCCC students.

In particular, they spoke to the success of 3+1 programs and pointed at the MBR plans as a necessary step toward bringing the initiative to scale statewide.

Mr. Church said students at his two-year institution have saved millions of dollars and shaved years off their higher education careers by taking at least 75% of their classes there before earning a bachelor's degree from a university.

"You can use College Credit Plus and 3+1 and we can assure you that you can graduate with a bachelor's degree by age 20 at less than 20% of the cost of taking that same baccalaureate degree if you had to leave Lorain County and go to (a university offering a) four-year degree," he said. "It's not saying one pathway is better than another, it's saying we need all the pathways we can get in Ohio."

Universities are also supportive of plans to move students more quickly through higher education and at a lower cost, Mr. Craig said.

Bowling Green has been among those schools offering a 3+1 program for more than a decade and CCP has brought some first generation students to the university that may have never pictured themselves there otherwise, he said.

"We've been doing this already for well over a decade. We know that it works. It can be successful for our citizens, our universities and community colleges," Mr. Craig said.

Messers. Church and Craig said they're hopeful that state support for the program will give it the push it needs to mount in the same way dual enrollment has since the Department of Higher Education and ODE began pushing CCP last year.

Mr. Johnson added that community colleges offering bachelor's degrees that aren't available at nearby universities will also be beneficial because it will allow them to offer credentials in career fields that are specific to the region.

Twenty-five other states permit community colleges to offer advanced degrees, he said. "This is the kind of policy bill that will help us move forward," Mr. Johnson said, referring to Lumina Foundation research that has determined Ohio needs to increase its percentage of residents with a post-secondary degree from 35% to 65% to fill job demands in the coming years.

When the MBR plan was revealed, Jack Hershey, president of the Ohio Association of Community Colleges, also touted its potential benefits.

"These reforms proposed today shine the light on a pathway that has emerged under Governor Kasich that allows students to obtain a degree from their favorite university, while saving up to 80% off the traditional cost of attendance by completing as much of their coursework as possible at a community college," he said in a statement. "The ability for middle class families, single parents, and working adults to obtain a debt-free college degree is once again a reality in Ohio."

Inter-University Council of Ohio President Bruce Johnson said the organization is still examining the proposals to determine its stance, but is supportive of the administration's ongoing efforts to expand higher education options.

"Overall, I think that we appreciate the chancellor's focus on affordability and access and we think that a large and growing percentage of students who are entering public institutions of higher education are choosing public universities and that's because of their evaluation of the value that public universities provide," he said in an interview.

"Certainly providing really good, high-quality choices is great because the state needs to focus on bridging its education gap," Mr. Johnson added.

Education 'Deregulation' Bill Amendments On Hold, Chairman Says

A bill slated for a number of revisions, including holding charter school sponsors harmless for report card scores, has been pulled from the House Education Committee's agenda.

Chairman Rep. Andy Brenner (R-Powell) said last week that the measure (SB 3) would see "quite a few" changes over the course of back-to-back meetings scheduled for Monday afternoon and Tuesday morning. (See Gongwer Ohio Report, February 19, 2016)

However, the Monday meeting was canceled late last week and Tuesday's has been moved to 2 p.m. The bill and a presentation from the Department of Education were removed from the agenda of the latter meeting.

The delay is caused by a desire on behalf of the legislature and the administration to continue working on the bill before any changes are made public, Rep. Brenner said. He expects any disagreements to be resolved by the time the House returns to session the week of March 14.

"Hopefully we'll get the issues resolved between now and when we come back," he said in an interview.

The chairman was reluctant to reveal what the planned omnibus amendment will include or what proposals are proving to be the most contentious, but said changes will address policy decisions made in the last year.

Despite reports that the proposals would seek to weaken recently enacted charter school overhauls, Rep. Brenner said he doesn't think that's the case.

"There is a discussion of some other issues around equivalency, but that goes back to prior legislation," he said.

Sen. Peggy Lehen, the Senate Education Committee chairwoman who was behind a number of the HB2 provisions, said attempts to water them down have been unsuccessful.

"I haven't heard of anything that's giving me heartburn," she said of potential updates to the so-called education de-regulation bill. "I know that there have been efforts to put some things in but to my knowledge they're not going in the bill and therefore I'm fine with it."

The chairwoman added that she's supportive of plans to provide safe harbor for charter school sponsors from state report card grades as long as it's only for the 2014-15 school year.

In its original state, the measure is aimed at rewarding high-performing school districts by releasing them from some state requirements.

Former Lawmakers Look To Replace Faber In The Senate

Matt Huffman and John Adams, both of whom left the House in 2014 due to term limits, are running for the seat that comprises Allen, Champaign, Shelby and Mercer counties along with portions of Auglaize, Logan and Darke counties.

Mr. Adams, a businessman and former Navy SEAL, did not respond to multiple attempts to contact him.

Mr. Huffman, a private attorney who rose to the ranks of speaker pro tempore in his first tenure in the legislature, said he has always been drawn to public service.

Prior to his time in the General Assembly he served on the Lima City Council for 14 years, including seven as the body's president.

"If you feel like you can contribute you need to do that in whatever way you can," Mr. Huffman said.

If elected, Mr. Huffman said he hopes to boost manufacturing in the district through increased vocational training and remove disincentives to work.

"We can't fill jobs," he said. "We have jobs that are going unfilled."

More educational dollars should be spent on vocational training and less should be spent on welfare programs, according to Mr. Huffman.

"We understand that in bad times people lose their jobs and they need a little bit of a boost," he said, but added, "Everybody has to do a job at some point in their life that they don't like."

Mr. Huffman also said he will push for a more business-friendly climate in Ohio by fighting efforts to raise revenues through what he deems as backdoor tax increases - "retroactive fines, penalties, things of that nature," he said.

"There should never be a surprise from the government that money is owed by a business, especially when there is a newly acquired business," he said.

Providing clarity in the rule-making process and moving from an income tax to a sales tax are also priorities of Mr. Huffman.

During his first stint in the legislature, Mr. Huffman said one of his crowning achievements was the passage of legislation to standardize contracts between health care providers and insurance companies (HB125, 127th General Assembly). He said the law could likely use some updating.

"Six years since that bill was passed there's been a lot of backsliding in that regard," he said.

Mr. Huffman, who considers himself to be a "small government, pro-low tax, pro-life, pro-second amendment Republican," believes he has a proven track record of getting things done in the Statehouse that would be of value to the legislature.

"You can be whatever you say you want to be, but you also have to be effective," he said. "That's why were able to pass a pretty conservative agenda."

During his tenure in the House, Mr. Adams was considered among the more right-leaning members of a conservative majority under then-Speaker Bill Batchelder. He was elected twice to serve in caucus leadership.

Along with the usual conservative causes such as tax cuts and anti-abortion initiatives, Mr. Adams was a staunch proponent of oil and gas drilling in parks and other state lands and sponsored legislation to that effect (HB133, 129th General Assembly). His anti-abortion efforts included a bill to require paternal consent for abortions (HB252, 128th General Assembly).

Outside of his General Assembly activities, Mr. Adams served as the Ohio legislative chair of American Legislative Exchange Council.

No Democrat filed to run for the heavily Republican seat.

After One Candidate Drops Out, Three Republicans Face Off in House District 47 Primary

An ex-mayor, a school board member, and a Toledo business owner are elbowing for a shot at the 47th House District seat occupied by term limited Rep. Barbara Sears (R-Maumee).

A fourth GOP contender - Monclova Township trustee and Mercy St. Vincent Foundation Development Director Barbara Lang - last month dropped out of the race following discussions with party leaders, saying a crowded primary is not in voters' best interest.

Among the remaining candidates are realtor and former Waterville Mayor Derek Merrin, Sylvania school board member Vicki Donovan Lyle, and business owner and former Sylvania township trustee Kevin Haddad.

The winner of that contest will face Democrat Michael Sarantou of Sylvania Township come November.

The trio of GOP candidates spoke in interviews about their goals for the district if elected.

Mr. Merrin, who has earned endorsements from Rep. Sears, Rep. Rob McColley (R-Napoleon), and Sen. Randy Gardner (R-Bowling Green), served on the Waterville City Council between 2007-2008

He was first elected in 2007, unseating a three-term Democrat and becoming the youngest mayor in Ohio at the time when he took office in 2008. He credits that win to a message of fiscal conservatism and open government.

"I governed as a strong fiscal conservative who opposed tax increases," he said. "I implemented many cost savings reforms. I'm a strong believer we must empower our local officials by addressing state laws that restrict their ability to govern."

After his term ended and he decided not to seek reelection, he spent four years working for the state auditor's office and is now a realtor and real estate investor.

"My number one priority will be creating an environment that ignites Ohio's economic engine," he said. "I believe our state needs pro-growth reforms to our tax code, regulatory rules, and legislation that furthers individual freedoms."

Ms. Lyle has served on the Sylvania school board since 2004 and owns a business specializing in health insurance and benefit consulting.

She said her experience as a school board member overseeing a district with an \$82 million budget has given her an appreciation for public office and the accountability that comes with it.

"We're expected to keep ourselves fiscally solvent and responsible and accountable in a transparent way to the community," she said. "All of those critical pieces are part of what any good elected official (does) in terms of having that kind of background and experience that's going to translate to the bigger stage."

She said she wants to reduce the state's role in the classroom, by decreasing standardized testing and "teaching to the test." Other priorities include better matching job opportunities with potential workers and addressing the financial burden she said is placed on individuals and businesses to secure healthcare.

If elected, she said, she'd focus on being open and accessible to constituents.

"I've had 30-plus years in the workforce having my own business as a small business owner," she said. "In addition to that, I think my time on the school board has served me well to understand that listening is a primary component for an elected official. It's not about our agenda, but what are the concerns for our constituents."

Mr. Haddad is a former president of the Township Association of Lucas County. He's also a real estate owner and for 40 years owned and operated a Toledo hair salon.

After being elected township trustee in 2009, Mr. Haddad lost reelection in 2013. He previously mounted a failed bid as an independent in 2012 for a county commissioner seat. After finding difficulty winning local races as a conservative, he said, he believes he'll have greater odds in a Statehouse race.

"For me, it's not about the job, not about the money," he said. "It's about fixing the state up before it gets wiped out."

He said he wants to reverse cuts to the local government fund enacted in recent years, but also institute new accountability measures to monitor how those funds are used.

"If we restore the local government fund in a way that would go to each community - I'm not going to give it to the counties - I'm going to ask a lot of people give us your budget

and we're going to audit you to make sure you spent that money properly on those issues," he said.

He said he'd push for an elimination of school levies, which he contends are "illegal and unconstitutional."

Mr. Merrin alleges his two opponents aren't conservatives and said he has widespread support in the district. He said he wants to better control government spending while lowering taxes.

"I'm the only conservative that is running," Mr. Merrin said, claiming that his opponents each "have a record of voting and supporting increased taxes."

"I'm the only candidate that has consistently opposed tax increases as an elected official," he said.

Ms. Lyle, in response, said her opponent was likely referring to a series of school levies voters had approved during her time on the school board. She said the board worked to ensure citizen comments were received when weighing potential cost savings efforts and levy proposals.

Like with all school levies, she said, it's not the school board approving the property tax increase but the voters. She said she would prefer no taxes be increased, but that the board is forced to act within the confines of the current funding system.

"We take every effort and every opportunity to be judicious and fiscally responsible and conservative as we can; we value and appreciate the taxpayers' investment," she said. "But we also understand we are limited in our options of how to raise revenue - of which that is one. So it is the voters who decide, not the school board, as to whether (an increase in) taxes will be put in place."

Mr. Haddad said he was able to pass three of his four priorities as a township trustee and that several cost saving measures he proposed were voted down by other trustees. He criticized Mr. Merrin for his handling, while mayor, of an ordinance that would have barred sex offenders from living in certain parts of the city. The ordinance, which Mr. Haddad contends would have concentrated sex offenders in a handful of neighborhoods, was later scrapped by the city council in a 6-1 vote in 2008 following public opposition.

"When I was a trustee, I worked conservatively," Mr. Haddad said. "I can foresee the future on a lot of issues and I look at every angle of it and I make sure it's done as properly and accurately as possible so we don't have any problems."

Subscribers Note: These stories are part of a series on contested primaries heading into the March 15 election. Updated candidate lists and related information are available on the [Gongwer Elections Page](#).

Kasich Jostles With Rubio For Bush Donors Following SC; Graham, Sabato Mull Potential Rubio-Kasich Ticket

Unlike Gov. Bush, the Kasich camp made clear early on it did not have high hopes for South Carolina, instead preferring to lay groundwork in friendlier upcoming Midwestern states like Michigan. Mr. Bush announced Saturday night he was suspending his campaign, a move that enabled Kasich backers to tout their candidates as the last governor standing.

Kasich for America Chief Strategist John Weaver said the South Carolina results show the field has been winnowed to a four man race and that Gov. Kasich has emerged victorious from the "governor's bracket."

"Only four candidates have top-three finishes in any of the early states and can justify staying in," he said. "While others were making their last stand in South Carolina, John Kasich strengthened his organization and support - despite being outspent by tens of millions of dollars. He also focused on the key states ahead for us, like Michigan, where he is currently second, Massachusetts and Vermont."

But Gov. Kasich faces an uphill battle jostling with Sen. Rubio to pick up remnants from Mr. Bush's failed campaign; those donors and staffers may be more drawn to the senator, who has raised more money and seen more success in the Iowa caucuses and SC primary than Gov. Kasich.

"John Kasich may be able to compete in places such as Massachusetts and Michigan in early March, and hang on to win Ohio with the hope that his delegates prove crucial," according to analysts from Sabato's Crystal Ball. "But he just isn't built to play in enough states, nor does he have a broad enough appeal in the GOP, to truly challenge for the nomination."

"Most mainstream Republicans will sooner or later move to Rubio, but will it be soon enough? He can't keep on finishing second or third - or fifth, as he did in New Hampshire. You have to start winning, but where?"

On Monday, former candidate and Bush backer Sen. Lindsay Graham mused during an interview that a Rubio-Kasich ticket "would be (a) very potent ticket in the fall and maybe help us stop Trump."

Added Sabato's Crystal Ball: "Rubio might want to consider a daring gambit - openly offering Kasich the vice presidential slot in exchange for the Ohio governor's support."

Gov. John Kasich finished fifth out of six candidates in the South Carolina Republican primary Saturday, landing far behind winner Donald Trump. Mr. Trump won 32.5% of the vote, while Mr. Kasich won the support of 7.6% of voters.

Sen. Rubio won a narrow second place victory at 22.5%, followed by Sen. Ted Cruz at 22.3%. Gov. Kasich fell just short of former Florida Gov. Jeb Bush, who came in fourth with 7.8%. Retired neurosurgeon Ben Carson earned 7.2% of the vote.

The Kasich campaign is banking on a successful showing in Michigan, where a weekend American Research Group poll ranked him in second at 17%, above Sens. Rubio and Cruz, who were each at 12%.

The Kasich campaign on Monday announced its Michigan team (full roster), which will be chaired by former congressman Pete Hoekstra, State Senate Majority Leader Arlan Meekhof, State House Speaker Pro Tempore Tom Leonard, and former RNC committeeman Chuck Yob.

With the field narrowing, Gov. Kasich is expected to face increasing calls to withdraw in an effort to consolidate support behind Sen. Rubio among establishment figures who hope to mount an effort to thwart Mr. Trump and Sen. Cruz from landing the nomination. Gov. Kasich's continued presence may siphon support that might otherwise be thrown at the freshman senator from Florida.

Kasich Gains/Loses Endorsements: On Sunday, the *Columbus Dispatch* reported that Kasich campaign co-chair B.J. Nikkel is endorsing Sen. Rubio. The paper quoted the former state lawmaker as saying "it's time for conservatives of conscience to rally behind the one man who can defeat New York billionaire Donald Trump."

At the same time, billionaire financier Stanley Druckenmiller threw his support behind Gov. Kasich, according to the *New York Times*.

"Mr. Druckenmiller confirmed in an email that he was supporting Mr. Kasich, but did not elaborate," the paper reported. "Last year, he donated more than \$450,000 to groups supporting Mr. Kasich, Gov. Chris Christie of New Jersey and former Gov. Jeb Bush of Florida."

It remains to be seen who, if anyone, Mr. Bush might endorse. A *Politico* report Sunday cited those close to Mr. Bush as saying a Kasich endorsement was "unlikely." But an endorsement of Sen. Rubio might also be a stretch considering the pair's increasingly contentious relationship on the campaign trail in recent months.

Gov. Kasich landed several endorsements in recent days, including those from former Pennsylvania Gov. Tom Ridge, former Massachusetts Gov. Bill Weld, former Nevada GOP Chairwoman Amy Tarkanian, and Nevada Speaker John Hambrick. Also endorsing the governor are the *Waco Tribune-Herald* and the *Corpus Christi Caller Times* of Texas.

The Kasich campaign Sunday announced it has hired Mike Schrimpf, formerly chief communicator for Illinois Gov. Bruce Rauner, to oversee its communication outreach. Kerry Knott, former chief of staff to former U.S. Majority Leader Dick Armey has been hired as the campaign's senior policy adviser.

Coming Soon: GOP candidates will next focus on Nevada, where caucuses will be held on Tuesday. A CNN debate is scheduled for Thursday, though qualifying criteria have not yet been announced.

After Nevada is a key March 1 date, when nine states hold primaries and three states hold caucuses in the so called SEC Primary. Primaries will be held that day in Alabama, Arkansas, Georgia, Massachusetts, Oklahoma, Tennessee, Texas, Vermont and Virginia. Alaska, Colorado and Minnesota have caucuses on March 1.

The Kasich-backing super PAC New Day for America on Monday announced the rollout of its national political operation which will involve more than 50 staff members and 14 officers across 12 March primary states.

Targeted states include Alaska, Arkansas, Georgia, Vermont, Virginia, Kentucky, Maine, Hawaii, Michigan, Mississippi, Ohio and North Carolina.

"Our Super PAC's focus on the ground game is unique and, just as we did in New Hampshire, we fully expect our team to impact the race for the nomination," New Day spokeswoman Connie Wehrkamp said. "We are strategically placing our focus and resources where we can make the biggest impact and ensure John Kasich, the one Republican who can win in November, is our nominee."

In a Monday Emerson poll of Massachusetts, conducted Feb. 19-21 with a 5.7 percentage point margin of error, Gov. Kasich placed third at 13%, behind Mr. Trump at 50% and Sen. Rubio at 16%.

Politics Notebook: Kasich Draws Attention For 'Kitchen' Remark, Signs PP 'Defund' Bill; Poll Shows 74% Of Ohioans Support Medicinal Pot...

Remarks from Gov. John Kasich on women leaving their kitchens to campaign for him drew quick backlash Monday, one day after the governor signed a bill to "defund" Planned Parenthood in Ohio.

The governor made the remark during a town hall in Fairfax, Va., as he sought to explain how he was elected to the Ohio Senate in 1978.

"We just got an army of people and many women who left their kitchens to go out and go door to door and put yard signs up for me," he said according to video that first caught attention.

The initial video, posted by a YouTube account that has released a handful of previous anti-Kasich videos, did not show how Mr. Kasich concluded the remark.

Subsequent video of the full remark added context, showing that Gov. Kasich went on to say that campaign occurred "all the way back when things were different. Now you call homes and everybody's out working. But at that time, early days, it was an army of the women that really helped me get elected to the state Senate."

Twitter users quickly seized upon the statement, followed closely by national media outlets.

Kasich for America spokesman Chris Schrimpf responded to the outcry, saying in a statement that the governor's campaigns have "literally been run out of his friends' kitchens and many of his early campaign teams were made up of stay-at-home moms who believed deeply in the changes he wanted to bring to them and their families."

"That's real grassroots campaigning and he's proud of that authentic support," Mr. Schrimpf said. "To try and twist his comments into anything else is just desperate politics."

The Ohio Democratic Party subsequently painted the governor as out of touch, accusing him of giving *Mad Men* television character and womanizer "Don Draper a run for his money."

The remarks came one day after the governor signed a bill (HB 294) to eliminate \$1.3 million in state funding to Planned Parenthood. (See Gongwer Ohio Report, February 10, 2016)

The Planned Parenthood Action Fund said the bill will have "devastating consequences for women" across the state.

"John Kasich is proudly eliminating care for expectant mothers and newborns; leaving thousands without vital STD and HIV testing, slashing a program to fight domestic violence, and cutting access to essential, basic health care," President Cecile Richards said. "It's clear Kasich has no regard for women's health or lives and will stop at nothing to slash health care for millions."

Ohio Right to Life, in contrast, praised the bill's signing.

"Thanks to the pro-life leadership of Gov. Kasich and his work with Ohio Right to Life, Ohio's abortion industry is shrinking," ORTL President Mike Gonidakis said. "As Planned Parenthood haggles over the hearts and brains of aborted babies, Ohio Right to Life is marking history with legislation that is both ethically consistent and fiscally responsible."

Pot Amendment: A poll released Monday by Marijuana Policy Project showed nearly three-fourths of Ohio voters support amending the constitution to legalize medical marijuana for those with terminal or debilitating petitions.

The poll, conducted by Public Policy Polling, shows that 74% of voters support a proposed amendment, with 22% opposed, according to a news release.

"It's become pretty common knowledge that marijuana can be incredibly beneficial in the treatment of a variety of medical conditions," Mason Tvert, a spokesman for Ohioans for Medical Marijuana, a committee that has been formed to support MMP's forthcoming ballot initiative, said in a statement.

"It's not surprising that a vast majority of voters agree patients should be allowed to consume it if their doctors think it could be helpful. There are few laws still on the books that are as unpopular as those that prohibit sick and dying people from accessing medical marijuana."

According to the poll, 85% of self-identified Democrats and 69% of self-identified Republicans said they supported legalizing medical marijuana. Ohioans for Medical Marijuana is drafting a ballot initiative and expects to start the petition process later this month, according to the release. Another pro-marijuana group has already suspended its petition efforts in favor of supporting the MMP-backed proposal. (See Gongwer Ohio Report, February 19, 2016)

"Ohio's current marijuana policy is antiquated and inhumane," Mr. Tvert said. "We hope to give voters an opportunity to change that this November. We're confident that most Ohioans will support a well-written initiative that gives seriously ill people the right to use medical marijuana if their doctors recommend it."

8th Congressional District: Sen. Bill Beagle (R-Tipp City) on Sunday announced he has earned the support of Butler County Sheriff Richard Jones and Montgomery County Sheriff Phil Plummer in the race to succeed former U.S. Rep. John Boehner. Sen. Beagle is among more than a dozen GOP candidates vying for the seat in an upcoming special election. Sen. Beagle and Rep. Tim Derickson (R-Oxford) are the two most high-profile contenders.

U.S. Senate Race: A poll from the Democratic polling outfit PPP shows U.S. Sen. Rob Portman (R-Terrace Park) battling weak approval numbers.

The poll found the senator with a 30-39% approval rating, placing him "very much in the danger zone for reelection based on those low approval numbers," according to the group.

Former Gov. Ted Strickland and Cincinnati Councilman PG Sittenfeld are competing in the Democratic primary for the chance to unseat Sen. Portman.

Mr. Sittenfeld on Friday criticized Gov. Strickland for failing to show up to a Monday event at the Cleveland City Club where Mr. Sittenfeld had hoped the candidates would debate. Gov. Strickland has repeatedly rebuffed Mr. Sittenfeld's calls for debates, saying he'd prefer to focus on competing with Sen. Portman.

Court Briefs: High Court Sets Execution Date; Visiting Judge To Hear Case; Web Site On Judicial Candidates Updated

The state's high court has set an execution date for a man convicted of the 2004 killing a Toledo woman who lived in the same apartment complex.

In a 5-2 decision issued with no opinion, the court set an Oct. 17, 2019 execution date for James Frazier.

Justice Paul Pfeifer issued a dissent in the case. He was joined by Justice Terrance O'Donnell.

"At this time, the state is incapable of properly executing the 25 people for whom execution dates have previously been set. It serves no rational purpose for this court to continue to set execution dates while significant logistical obstacles remain in place and more legal challenges are likely," Justice Pfeifer wrote.

In October, the state pushed its earliest execution date back to 2017 due to difficulty in obtaining the drugs used for the lethal injection procedure. (See Gongwer Ohio Report, October 20, 2015)

The state currently has 11 executions scheduled for 2017, eight scheduled for 2018 and six scheduled for 2019.

Bipartisan legislation has been introduced in the House that would end capital punishment in Ohio. (See Gongwer Ohio Report, October 27, 2015)

Web Site Updated: Continuing the effort of Chief Justice O'Connor to create a more informed electorate when it comes to the judiciary, judicialvotescount.org has been updated to provide voters with information about the candidates that will be on the ballot this year, the court reported.

A total of 145 judicial seats will be on the ballot this year, including three Ohio Supreme Court seats, 27 court of appeals seats and 115 common pleas court seats.

The web site provides biographical information on candidates and explanations on why they are running for a particular office, according to the court.

Ran by the Ray C. Bliss Institute of Applied Politics at the University of Akron, the web site was created in the wake of 2014 survey that found many Ohio voters do not vote in judicial elections due to a lack of knowledge about the candidates, the court reported.

According to the chief justice, on average, about 25% of voters who go to the polls do not cast ballots for judicial candidates. In Cuyahoga County in 2012, she said, about 40% of voters neglected to vote for judicial candidates. (See Gongwer Ohio Report, February 11, 2016)

Other partners in the non-profit web site include Chief Justice O'Connor, the League of Women Voters of Ohio, the Ohio State Bar Association, the Ohio Newspaper Association and the Ohio Association of Broadcasters.

Visiting Judge: Tenth District Court of Appeals Judge Elizabeth Schuster will hear oral arguments Tuesday in a lawyer malpractice case.

Judge Schuster will fill in for Chief Justice Maureen O'Connor, who recused herself in the case of *Ratonek v. Roetzel & Andress*.

At issue in the case is whether a Dayton law firm can be used for malpractice for failing to pursue claims that were not in the written agreement but were discussed between the law firm and the client and whether it can be sued for malpractice if it pursues a legal claim sought by the client, but withdraws it and advises the client to seek other counsel to pursue the claim or represent themselves, according to the court.

The case stems from a malpractice lawsuit a California woman filed against another law firm after she claimed it cause her to lose \$1 million in a real estate transaction. The Dayton law firm was originally hired to represent her in that case.

Capitol Scene: Chabria To Leave Gov's Office, Join ORP; Staff Changes Announced At Buckeye Institute, AICUO, HPIC

Jai Chabria, a key executive staff member for Gov. John Kasich, is leaving the governor's office to work for the Ohio Republican Party.

Mr. Chabria has served as senior advisor to Mr. Kasich since he took office in 2011. That job entailed vetting Mr. Kasich's appointments, among other things.

"I am enormously grateful to Jai for his many years of friendship, counsel and outstanding public service to me and the people of Ohio," Mr. Kasich said in a statement. "While it is difficult to see Jai move on, I know that great things lie ahead for him in this next phase of his career. I look forward to our continued deep friendship."

Mr. Chabria's last day with the governor's staff is Friday. The Powell resident's job at ORP was described by the party as "a senior position that will oversee the preparation and planning for the Republican National Convention in Cleveland in July."

"The world spotlight will be on Cleveland in July as our party nominates the next President of the United States. It's a tremendous and exciting opportunity for Ohio," ORP Chairman Matt Borges said. "Jai is a seasoned professional with top notch experience. We are pleased to have him join our team as we plan and prepare for the convention."

AICUO: Andrus Lampkins has joined the staff of the Association of Independent Colleges and Universities of Ohio as director of external relations, the group announced recently.

He previously served dual roles with the Center for Healthy Families as the director of outreach and engagement and with Lardon & Associates as a director of business development.

Mr. Lampkins' prior experience includes serving as the community & small business manager for Vermont Energy Investment Corporation. The Otterbein University graduate

will be responsible for AICUO's affiliate member program, inter-college collaborations, events and educational programming, and the expansion of the group's member energy conservation and sustainability initiative.

Buckeye Institute: Daniel J. Dew has joined the staff of the Buckeye Institute for Public Policy Solutions as a full-time Criminal Justice Fellow, the group announced.

A published author on criminal justice issues and a former Visiting Legal Fellow at The Heritage Foundation in Washington, D.C., Mr. Dew will focus on efforts to revise Ohio's criminal code and updating the state's civil asset forfeiture law, among other things, according to the institute.

"Daniel is a national expert on criminal law, and we are pleased to bring him on to expand Buckeye's capacity to formulate sound criminal justice policy for Ohio that can be easily replicated in other states," institute President and CEO Robert Alt said in a release.

HPIO Hire: Former state employee Rebecca Susteris has been hired as a policy analyst with the Health Policy Institute of Ohio, the group announced recently.

Reem Aly and Amy Bush Stevens have been promoted to vice president and Sarah Bollig Dorn has been promoted to manager, Health Policy and Education, the group said.

Ms. Susteris was previously employed at the Ohio Bureau of Workers' Compensation for three years, first as a health care policy analyst and more recently as manager of medical reimbursement and coding policy, according to HPIO. She holds degrees from Ohio State University and Bowling Green State University. Ms. Susteris also served as a Legislative Service Commission fellow in 2009.

Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to gongwer@gongwer-oh.com.

Supplemental Agency Calendar

Tuesday, February 23

Racing Commission, 77 South High St., Room 1960, Columbus, 10 a.m.

Thursday, February 25

Ethics Commission, Rm. G, 3rd Fl., 30 E. Spring St., Columbus, 12 p.m.

Supplemental Event Planner

Tuesday, February 23

Quinnipiac University to release poll of Ohio likely voters on presidential primary

Ohio senators, faith leaders, others

news conference on ending "pregnancy discrimination", Press Conf. Rm., Statehouse,

Columbus, 11 a.m.

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Senate Activity for Monday, February 22, 2016

SENATE PRESIDENT'S APPOINTMENTS


Legislative Committee on Public Health Futures: Appoint Sen. Yuko and Carla Hicks

Capitol Square Review & Advisory Board: Appoint Sen. Peterson to replace former Sen. Widenner

Sunset Review Committee: Appoint Sen. Coley to replace former Sen. Widenner

SIGNED BY THE GOVERNOR

SB 260 ■ **CAPITAL REAPPROPRIATIONS (Coley, B.)** To make capital
(Enacted) reappropriations for the biennium ending June 30, 2018.
Signed: February 21, 2016

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Daily Activity Planner for Tuesday, February 23
Legislative Committees

House Local Government (Committee Record) (Chr. Anielski, M., 644-6041), Rm. 018, 9 a.m.

- HB 455** **BOARDING SCHOOL ZONE** (Patterson, J., Roegner, K.) To authorize a municipal corporation or township to establish a boarding school zone and a special speed limit within that zone. (1st Hearing-Sponsor)
- HB 407** **BODY CAMERAS** (Boyce, K., Grossman, C.) To require law enforcement agencies that use body cameras to adopt written policies for operation of the cameras and to require agencies to make the adopted policies available to the public. (2nd Hearing-Proponent)
- HB 361** **COMMUNITY EVENT FUNDING** (Brenner, A.) To authorize boards of township trustees and boards of park commissioners to expend funds for the public purpose of presenting community events in their parks and at other recreational facilities. (3rd Hearing-All testimony-Possible amendments & vote)
- HB 375** **SNOW REMOVAL** (Brown, T., Arndt, S.) To authorize townships to require the removal of snow and ice from sidewalks abutting property and to impose a fine for failure to do so. (3rd Hearing-Oponent & interested party)
- HB 333** **BIDDING THRESHOLDS** (Schaffer, T., Hambley, S.) To increase the monetary thresholds above which competitive bidding is required for township road construction, repair, or maintenance contracts, and to increase the monetary thresholds above which a force account assessment is required for a township road construction, repair, or maintenance project. (3rd Hearing-Oponent & interested party)
- HB 378** **TRAFFIC ARRESTS** (Hambley, S., Rezabek, J.) To authorize law enforcement officers of township police districts and joint police districts, and township constables, serving specified small populations to make arrests for motor vehicle-related violations committed on an interstate highway in the same manner as township law enforcement officers serving larger populations. (3rd Hearing-Oponent & interested party)
- HB 413** **EXECUTIVE SESSION** (Brinkman, T.) To add to the purposes for which a board of township trustees may go into executive session, to permit a township to charge for recycling services, to reduce the population threshold for a township to adopt a limited home rule form of government, to authorize township to purchase, lease, or provide underwater rescue and recovery equipment for fire and rescue purposes, to authorize boards of township trustees to pay for group life insurance for any employee, to make other changes to the township laws, to allow taxing units to use the proceeds of a

fire, police, or emergency services tax levy to pay costs related to the service for which the tax is levied, and to expand the public infrastructure improvements to townships, municipal corporations, and counties may pay for using money from their public improvement tax increment equivalent funds. (3rd Hearing-Opponent & interested party)

HB 462 **POLICE DISTRICT (Hagan, C., Sprague, R.)** To establish a joint police district, to modify the membership of a joint police district governing body, to expand the offense of solicitation to also apply to a person who agrees with another to engage with the other person in sexual activity for hire, to provide that the "prescription exemption" from the drug possession offenses does not apply to a person who uses more of the drug than the maximum prescribed amount per day or the maximum amount to be used within the prescription timeline or who administers or takes the drug in a manner not prescribed by the prescribing health professional, and to provide immunity from civil liability to a peace officer who administers naloxone to a person who is apparently experiencing an opioid-related overdose. (1st Hearing-Sponsor)

Senate Ways & Means (Committee Record) (Chr. Peterson, B., 466-8156), South Hearing
Rm., 9 a.m.

HB 9 **TAX EXPENDITURES (Boose, T.)** To create a Tax Expenditure Review Committee for the purpose of periodically reviewing existing and proposed tax expenditures. (3rd Hearing-All testimony)

SB 264 **TAX HOLIDAY (Bacon, K.)** To provide for a permanent three-day sales tax "holiday" each August during which sales of back-to-school clothing and school supplies are exempt from sales and use taxes. (2nd Hearing-All testimony-Possible amendments & vote)

HB 233 **REDEVELOPMENT DISTRICTS (Schuring, K.)** To authorize municipal corporations to create downtown redevelopment districts and innovation districts for the purposes of promoting the rehabilitation of historic buildings, creating jobs, encouraging economic development in commercial and mixed-use areas, and supporting grants and loans to technology-oriented and other businesses. (3rd Hearing-All testimony-Possible amendments & vote)

House Transportation & Infrastructure (Committee Record) (Chr. Boose, T., 466-9628),
Rm. 122, 9:30 a.m.

SB 182 **ROAD NAMING (Balderson, T., Peterson, B.)** To designate a portion of United States route twenty-three within Pickaway County as the "Army Specialist Gerald R. Jenkins Memorial Highway" and a portion of United States route sixty-two within Pickaway County as the "Army PFC Kevin C. Ott Memorial Highway." (1st Hearing-All testimony-Possible amendments, substitute & vote)

HB 461 **LICENSE PLATE (Roegner, K.)** To establish the Cuyahoga Valley National Park license plate and to require a \$15 contribution for the issuance of the license plate. (1st Hearing-Sponsor)

Senate Insurance (Committee Record) (Chr. Hottinger, J., 466-5838), South Hearing Rm., 10:30 a.m.

HB 207 ■ **WORKERS COMPENSATION** (Henne, M., McColley, R.) To allow a state fund employer to have a workers' compensation claim that is likely to be subrogated by a third party paid from the surplus fund account in the state insurance fund rather than charged to the employer's experience (1st Hearing-Sponsor)

SB 273 ■ **CORPORATE GOVERNANCE** (Bacon, K.) To enact the Corporate Governance Annual Disclosure Act (1st Hearing-Sponsor)

SB 27 ■ **FIREFIGHTER CANCER** (Patton, T.) To provide that a firefighter who is disabled as a result of specified types of cancer is presumed for purposes of the laws governing workers' compensation and the Ohio Police and Fire Pension Fund to have incurred the cancer while performing official duties as a firefighter. (3rd Hearing-Opponent & interested party)

House Session (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

Senate Public Utilities (Committee Record) (Chr. Seitz, B., 466-8068), North Hearing Rm., 11 a.m.

• **Confirmation hearing on governor's appointment of Andre Porter, chairman, Public Utilities Commission of Ohio**

House Rules & Reference (Committee Record) (Chr. Amstutz, R., 466-1474), Rm. 119, 11:30 a.m. or after session

Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584), Majority Conf. Rm., 11:30 a.m.

House Ways & Means (Committee Record) (Chr. McClain, J., 644-6265), Rm. 121, 1:30 p.m. or after session

HB 334 ■ **TAX EXEMPTION** (Buchy, J.) To exempt memberships to gyms or other recreational facilities operated by nonprofit organizations from sales and use taxation. (3rd Hearing-All testimony-Possible amendments & vote)

HB 297 ■ **TAX CREDIT** (Hill, B.) To authorize a refundable income tax credit for current livestock owners who invest in a manure storage or treatment facility or acquire manure application equipment or manure handling and transportation equipment. (2nd Hearing-Proponent)

House Government Accountability & Oversight (Committee Record) (Chr. Brown, T., 466-8104), Rm. 114, 1:30 p.m.

HB 444 ■ **ALCOHOL SAMPLES** (Blessing, L.) To allow certain D liquor permit holders to provide free tasting samples of beer, wine, and spirituous liquor to a person who is 21 years old or older and a paying customer of the permit holder. (1st Hearing-Sponsor)

HB 351 ■ **LIQUOR LAWS** (Perales, R., Devitis, T.) To increase the amount of spirituous liquor that an A-3a liquor permit holder may annually manufacture and to allow an A-3a permit holder to obtain an A-1-A liquor permit. (6th Hearing-All testimony-Possible amendments & vote)

HB 278 **HUMANE SOCIETIES** (Hambley, S.) To require approval by the board of county commissioners, instead of the probate judge, of appointments of agents by county humane societies outside a municipal corporation, to specify that a county humane society is a political subdivision, to make its directors, agents, officers, and employees subject to the Ethics Law, and to increase the salaries paid to the agents. (3rd Hearing-Opponent)

Senate Session (Chr. Faber, K., 466-4900), **Senate Chamber, 1:30 p.m.**
House Education (committee Record) (Chr. Brenner, A., 466-6711), **Rm. 121, 2 p.m. or after session**

• **SB3 and ODE presentation removed from the agenda**

HB 441 **SCHOOL ACTIVITIES** (McColley, R.) To permit a student enrolled in a nonpublic school to participate in interscholastic activities at a school district that is not the student's resident district under certain circumstances and to prohibit a student who participates in the College Credit Plus program from being denied the opportunity to participate in interscholastic athletics solely due to participation in the program. (1st Hearing-Sponsor)

HB 383 **FINANCIAL LITERACY** (Hagan, C., McColley, R.) To require one-half unit of economic and financial literacy in the high school social studies curriculum, to require the Chancellor of Higher Education to prepare an informed student document for each state institution of higher education, to require the State Board of Education to include information on the informed student document in the standards and model curricula it creates for financial literacy and entrepreneurship, and to entitle the act the "Informed Student Document Act." (2nd Hearing-Sponsor)

HB 401 **PRIVATE SCHOOLS** (Brinkman, T.) With regard to requirements for chartered nonpublic schools. (3rd Hearing-Proponent)

HB 410 **TRUANCY** (Rezabek, J., Hayes, B.) With regard to habitual and chronic truancy and compulsory school attendance. (3rd Hearing-All testimony)

Senate State & Local Government (committee Record) (Chr. LaRose, F., 466-4823), **North Hearing Rm., 2:30 p.m. or after session**

SB 257 **REAL PROPERTY** (Seitz, B., Skindell, M.) To create a presumption of validity of recorded real property instruments, reduce the time period for curing certain defects related to those instruments, and provide constructive notice for those instruments. (1st Hearing-Sponsor)

HB 359 **ADDRESS CONFIDENTIALITY** (Duffey, M., Gonzales, A.) To create an address confidentiality program for victims of domestic violence, menacing by stalking, human trafficking, trafficking in persons, rape, or sexual battery. (1st Hearing-Sponsor)

HB 158 **DISABILITY TERMS** (Dever, J., Howse, S.) To change the variations of the term "mentally retarded" to "person with an intellectual disability." (1st Hearing-Sponsor)

HB 242	DAY DESIGNATION (Hagan, C., Dever, J.) To designate the fourth Sunday of July as Blue Star Mothers Day. (2nd Hearing-All testimony-Possible vote)
House Judiciary (Committee Record) (Chr. Butler, J., 644-6008), Rm. 116, 3:30 p.m.	
HB 347	CIVIL FORFEITURES (McColley, R., Brinkman, T.) To eliminate civil asset forfeiture proceedings and to modify the law governing criminal asset forfeitures. (7th Hearing-Possible amendments & vote)
SB 215	VEHICLE FORCIBLE ENTRY (Hughes, J., LaRose, F.) To grant a person immunity from civil liability for any damage resulting from the forcible entry of a motor vehicle for the purpose of removing a minor or an animal from the vehicle because the minor or the animal is in imminent danger of suffering harm. (1st Hearing-Sponsor)
HB 446	OVI OFFENSES (Manning, N.) To specify that the prison term that may be imposed for a third degree felony operating a vehicle while intoxicated ("OVI") offense is a definite period of twelve, eighteen, twenty-four, thirty, thirty-six, forty-two, forty-eight, fifty-four, or sixty months, to add "harmful intoxicant" to the definition of "drug of abuse" for the purposes of commercial drivers' licensing law, to allow a person to assert the existing affirmative defense of driving in an emergency with regard to a prosecution for driving under a suspended driver's license under specified laws, and to specify that certain enhanced penalties for speeding violations apply regardless of whether the offender previously has been convicted of or pleaded guilty to speeding. (1st Hearing-Sponsor-Possible amendments)
HB 451	PROTECTION ORDERS (Boose, T.) To provide that an individual's statutory priority to decide whether or not to withhold or withdraw life-sustaining treatment for the individual's relative is forfeited if the individual is the subject of a temporary protection order or civil protection order and the relative is the alleged victim or if the individual and the relative are married and the parties to a divorce, dissolution, legal separation, or annulment proceeding. (2nd Hearing-Sponsor-Possible amendments)
HB 439	VOYEURISM (Anielski, M.) To include an impaired person as a victim of voyeurism and to include conduct involving an impaired person within the offenses of pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, and illegal use of a minor in a nudity-oriented material or performance. (2nd Hearing-Poponent)
HB 432	ESTATE LAW (Rezabek, J.) To revise the law governing decedent's estates by making changes in the Ohio Trust Code, the Probate Law, the Uniform Principal and Income Act, the Transfers to Minors Act, and the Uniform Simultaneous Death Act. (2nd Hearing-Poponent)
HB 436	DUI SENTENCES (Cupp, R., Rogers, J.) To authorize a judge that grants limited driving privileges to a second-time OVI offender to order the termination of the mandatory immobilization order. (2nd Hearing-Poponent)
HB 222	TRANSIT WORKER ASSAULTS (Driehaus, D., Perales, R.) To increase the penalty for assault when the victim is an employee of an Ohio transit

system whom the offender knows or has reasonable cause to know is such an employee engaged in the performance of the victim's duties; to permit the court to impose a fine of up to \$5000 and a six-month or lifetime prohibition from riding an Ohio transit system for assault committed in such specified circumstances; to authorize Ohio transit systems to post a warning sign indicating that abuse or assault of staff will not be tolerated and might result in a felony conviction; and to increase the penalty for evading payment of the known fares of a public transportation system. (2nd Hearing-PropONENT)

HB 363 **JUVENILE HEARINGS** (Reece, A.) To require restraints to be removed from an alleged or adjudicated delinquent child prior to the commencement of a juvenile court hearing or proceeding unless the court determines that the use of restraints is necessary to prevent physical harm to the child or another person or to prevent the child from escaping. (2nd Hearing-PropONENT)

House Armed Services, Veterans Affairs & Public Safety (Chr. Johnson, T., 466-2124), Rm. 017, 3:30 p.m.

HB 173 **VETERAN IDENTIFICATION** (Anielski, M., Terhar, L.) To authorize county recorders to issue Ohio veterans identification cards. (4th Hearing-All testimony-Possible substitute & vote)

HB 295 **LICENSE PLATE** (Ruhl, M.) To create the "Global War on Terrorism Civilian Service Medal" license plate. (2nd Hearing-All testimony-Possible vote)

HB 104 **LICENSE PLATE DISPLAY** (Devitts, T.) To specify that failure to display a license plate on the front of a motor vehicle that is required to display a license plate on the front and rear of the vehicle is a secondary traffic offense, to establish a maximum fine of \$25 for such an offense, and to amend the version of section 4503.21 of the Revised Code that is scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date. (3rd Hearing-Possible vote)

HB 388 **OVI OFFENSES** (Scherer, G.) To authorize a court to grant unlimited driving privileges with an ignition interlock device to first-time OVI offenders, to expand the penalties related to ignition interlock device violations, to modify the law governing the installation and monitoring of ignition interlock devices, to extend the look back period for OVI and OVI-related offenses from six to ten years, and to modify the penalties for OVI offenses. (3rd Hearing-All testimony)

Sunset Review Committee (Committee Record) (Chr. Brown, T., 466-8104), South Hearing Rm., 3:30 p.m.

- Agency reports from Reclamation Commission, Reclamation Forfeiture Fund Advisory Board, Board of Cosmetology, Optical Dispensers Board, Child Care Advisory Council, Child Support Guideline Advisory Council, Children's Trust Fund Board, Unemployment Compensation Advisory Council, State Victims Assistance Advisory Committee, Ohio Expositions Commission, Data Collection and Analysis Group, Dentist Loan Repayment Advisory Board, Help Me Grow Advisory Council, Hospital Measures Advisory Council, Infant Hearing Screening Subcommittee, Infection Control Group, Intergovernmental Council

and Advisory Panel of the Lupus Educational and Awareness Program,
Legislative Committee on Public Health Futures, Maternity and Newborn
Advisory Council, Medically Handicapped Children's Medical Advisory Council,
Physician Loan Repayment Advisory Board, Radiation Advisory Council, The
Director of Health's Advisory Group on Violent Deaths, The Director of Health's
Committee on Concussions and Head Injuries Sustained by Athletes, Council to
Advise on the Establishment and Implementation of the Birth Defects
Information System and Ohio Medical Quality Foundation

Agency Calendar

Board of Landscape Architects, 77 S. High St., 31st Flr. Board Room, Columbus, 9
a.m.
Southern Ohio Agricultural & Community Development Foundation, Foundation
Office, 100 S. High St., Hillsboro, 9:30 a.m. (Agriculture Development
Subcommittee)
Racing Commission, 77 South High St., Room 1960, Columbus, 10 a.m.
Southern Ohio Agricultural & Community Development Foundation, Foundation
Office, 100 S. High St., Hillsboro, 11:30 a.m. (Educational Subcommittee)
Public Facilities Commission, 35th Fl., 30 E. Broad St., Columbus, 4 p.m.

Event Planner

Nevada Republican caucuses
Ohio Federation of Soil and Water Conservation Districts' (OFSWCD) 73rd annual
conservation partnership conference, Renaissance Hotel, 50 N. 3rd St., Columbus
Quinnipiac University to release poll of Ohio likely voters on presidential primary
Cincinnati USA Regional Chamber Legislative Breakfast Reception, Athletic Club
of Columbus, 136 E. Broad St., Columbus, 9:30 a.m.
Ohio senators, faith leaders, others news conference on ending "pregnancy
discrimination", Press Conf. Rm., Statehouse, Columbus, 11 a.m.
Rep. John Bocieri (D-Poland) fundraiser, The Chintz Room, 121 S. High St.,
Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to John Bocieri for Ohio
Committee)
Ohio Council of Retail Merchants annual legislative reception, The Lounge at the
Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m.
Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, Tally Ho
Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event
Sponsor \$500, individual \$350 to Citizens for Lehner)
Sen. Frank LaRose (R-Copley) fundraiser, Athletic Club of Columbus, The Gold
Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000, Event
Sponsor \$500, individual Attendee: \$350 to LaRose for Senate)
Rep. Stephen Slesnick (D-Canton) fundraiser, The Chintz Room, 121 S. High St.,
Columbus, 5 p.m., (Sponsor: \$1,000, \$500, \$250 to Committee to Elect Stephen
Slesnick)
Rep. Jim Butler (R-Oakwood) and Sen. Bill Seitz (R-Cincinnati) fundraiser, Athletic
Club of Columbus, Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair:
\$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio and/or Seitz for Senate
Committee)
Conservative Energy Day Reception, Statehouse Museum Gallery, Columbus, 5:30
p.m., (RSVP to Mike Hartley at mike@swingstatesstrategies.com)

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From: Miller, Brad
Sent: Tuesday, February 23, 2016 4:31 PM
To: Baker, Dan; Dittoe, Michael; Kasych, Shawn
CC: Best, Carolyn
Subject: FW: capital requests

Hey guys,

Just received this email from Laura Bischoff. Thoughts?

Thanks,
Brad

From: Bischoff, Laura (CMG-Dayton) [mailto:Laura.Bischoff@coxinc.com]
Sent: Tuesday, February 23, 2016 4:22 PM
To: Miller, Brad; John.Fortney@ohiosenate.gov
Subject: capital requests

The Buckeye Institute posted on its Facebook page its list of most ridiculous state capital requests. #2 on the list is the \$10 million requested for the Triumph of Flight monument at the I-70/I-75 intersection to honor the Wright Brothers.

1. Who is backing this request?
2. Could you please send me the capital funding requests from the areas of Montgomery/Greene/Miami/Warren/Clark counties?
3. What is the general schedule for the capital bill?

Thanks.
Laura

PS: Here is the Buckeye Institute's posting:

The Buckeye Institute

February 19 at 6:02pm

A private group wants Ohio taxpayers to finance a giant Wright brothers memorial at the intersection of I-70 and I-75 in Dayton. "The Triumph of Flight," a little shorter than the Statue of Liberty, would cost taxpayers \$10.6 million.

We rank this 270-foot statue as the #2 Most Ridiculous Request made to legislators for inclusion in the Capital Appropriations Budget. Please LIKE or SHARE this Post if you think this grand idea should be privately funded.



Laura A. Bischoff | Staff Writer
Dayton Daily News Columbus Bureau
34 S. Third St., Columbus OH 43215
p: 614-224-1624 | m: 614-582-1202
laura.bischoff@coxinc.com

From: Gongwer News Service
Sent: Monday, March 21, 2016 6:00 PM
To: Kasych, Shawn
Subject: Ohio Report, Monday, March 21, 2016
Attachments: Mar21House.htm; Mar21House.htm; 160321dayplan.htm; Mar21Senate.htm



Ohio Report for Monday, March 21, 2016

Energy Companies Remain Hopeful For March Ruling On PPAs
Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure
Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent
Kasich Lags In Money Race, Walks Back Statement On Garland, Announces Arizona Leadership Team And Campaign Stops...
Agency Briefs: AG Rejects Another Pot Petition; Review Of EPA Rules Delayed; Painesville Man Busted For Workers' Comp Fraud; Ballot Board To Meet; Sebring Gets Funds
Politics Notebook: Ramos Looks To Add Early Voting Sites; Portman On Air With Web Ad, Defends Supreme Court Decision; Clyde Up For Award
Capitol Scene: Former Dispatch Editor Marrison Joins Yost Team
Attorney General's Opinion

Supplemental Agency Calendar

Supplemental Event Planner

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Day Planner

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Volume #85, Report #54 -- Monday, March 21, 2016
Energy Companies Remain Hopeful For March Ruling On PPAs

For more than a year and a half, AEP and FirstEnergy have waited for the Public Utilities Commission's orders on their controversial Power Purchase Agreements - decisions that have been expected to be made in the first quarter of 2016.

But with just one more meeting of the PUCO scheduled for this month, it's possible the wait for one or both decisions could stretch into the second quarter.

The PUCO is scheduled to meet just once more this month - a March 30 meeting for which the agenda has not yet been finalized. The commission will not meet March 23.

Whether the agenda will include one or both cases hasn't yet been determined, but PUCO spokesman Matt Schilling said any belief the ruling will come in the first quarter has been conjecture.

"For what it's worth the commission's never indicated when a decision may be," Mr. Schilling said. "There is lots of speculation out there, but we don't know."

The companies involved and their opponents have been anticipating first quarter orders. Should a decision not come in two weeks' time, the cases a year and a half or more in the making would be poised to continue.

The utilities are hopeful a decision arrives sooner, rather than later. In FirstEnergy's case, for example, the company has two energy auctions scheduled in April under the Electric Security Plan scheduled to begin June 1.

"So we're very hopeful we can get an order in this case so we can proceed with these auctions," spokesman Doug Colabella said. "Because as of June 1, we don't have power supply purchased for our customers."

"I think everyone is hopeful a decision may come as of next meeting. But obviously it's up to commission to put it on the agenda."

AEP spokeswoman Tammy Ridout said the company is "hopeful the commission will issue an order quickly."

"They have all the evidence in hand and we think they should approve the settlement agreement we've proposed," she said. "It's been a long process and we're ready for it to move forward."

Potentially complicating matters is the ongoing complaints against both PPAs before the Federal Energy Regulatory Commission. The Ohio Consumers' Counsel in February urged the PUCO to delay ruling until the FERC cases are settled. (See Gongwer Ohio Report, February 17, 2016)

In their latest filing, the Electric Power Supply Association argued that the companies have failed to rebut the concerns raised in the complaints and FERC "should issue an order as soon as possible granting the complaints."

The group cites opposition from PJM, the Pennsylvania Public Utility Commission, the Northwest Ohio Aggregation Council and others as showing the merits of its case.

"It is rare to see these parties and suppliers in complete agreement on wholesale market issues, and that they are should be a clear sign that, to paraphrase Shakespeare, something is rotten in the state of Ohio," the group wrote.

In their testimony, AEP and FirstEnergy both argue FERC has no jurisdiction in the matter and that the complaints are baseless because the allegations of consumer harm are "misplaced." (See Gongwer Ohio Report, February 24, 2016)

Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure

Controlling Board members approved \$92,500 in funding for the Secretary of State's office to hold elections training in Cleveland, though one lawmaker questioned why the event wasn't stated for Columbus.

The training event has recently been held either in Columbus as a two-day event or at five locations around the state as one-day events. Rep. Hearcel Craig (D-Columbus) asked if having the event in Cleveland could affect turnout for people in distant parts of the state. If turnout is low, he said, it could mean the office would have to come back before the board for more money.

Veronica Sherman, chief financial officer for the secretary of state's office, said she didn't expect to need more money.

"I think the cost that we have laid out here is the high end of the parameter and we would not expect to have to come back for more money," she said.

The office wanted to have only one event because it allows for more intensive training, she said.

Sen. Tom Sawyer (D-Akron) questioned part of a request from the Department of Education for \$3.2 million over two years for teacher certification and licensure, which includes the Office of Professional Conduct. The proposal cited an increase in the number of open cases, partially because of high-profile data manipulation scandals.

Sen. Sawyer asked if the department was targeting any particular types of schools or other programs in investigating data manipulation. Aaron Rausch, the department's director of budget and school funding, said they focused on individuals, not broad types of school districts.

"We appreciate that you don't want to go out on a witch hunt, but having said that, knowing that you're well targeted gives us more comfort," Sen. Sawyer said.

Mr. Rausch said the data manipulation cases are part of the increased load at the Office of Professional Conduct, but are not the only reason for the increase. Other things that have increased the caseload include a program that tracks the backgrounds of teachers and employees after they have been hired, finding any new hits to their record while they are working.

"Just in general there has been an increase in the caseload of the Office of Professional Conduct," he said.

The Controlling Board also approved a new contract the Department of Administrative Services reached with the Fraternal Order of Police Ohio Labor Council. The contract covers more than 500 employees statewide in eight state agencies, said Kristen Rankin, interim deputy director for the Office of Collective Bargaining.

The contract runs through June 30, 2018, and is similar to past contracts, though changes include switching from an annual clothing allowance to reimbursement and modifying the drug-free workplace policy to prohibit employees from working if they have blood alcohol contents above 0.02.

A request for \$1.45 million from the Development Services Agency for programs aimed at revitalizing distressed communities was deferred at the agency's request.

Other items approved by the board included requests for (Agenda):

- \$4.4 million from the Court of Claims for the payment of a wrongful imprisonment settlement for Kwame Ajamu, formerly Ronnie Bridgeman, and Wiley Bridgeman.
- \$615,852 from the Department of Natural Resources for geological mapping.
- \$1.9 million from the Ohio State University for a higher education system maintenance and upgrade project. The system manages data on student enrollment, courses, financial aid and more.
- \$3.1 million from OSU for roof and electrical repairs for three buildings on the Marion campus.
- \$4 million from the Development Services Agency for affordable housing assistance grants.

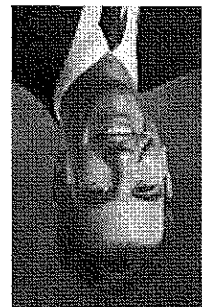
- \$1.9 million from the Ohio Environmental Protection Agency for a number of projects to clean up polluted sites.

Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent

Although he was an outsider in a primary race against an incumbent businessman Craig Riedel has had no shortage of attention from Columbus since winning his bid to head to the statehouse in January.

The Defiance Republican edged out Rep. Tony Burkley (R-Paulding) in last week's primary to represent Defiance, Paulding, Van Wert and part of Auglaize counties.

Lacking a Democrat competitor in the November election, Mr. Riedel, 49, will be headed to the Statehouse next year. After a brief hiatus from campaigning, he said he'll begin crafting his agenda by meeting with fellow lawmakers who've already begun courting him.



Craig Riedel

"I'm in a major learning curve right now. I'm going to take the summer to meet with those other representatives who've reached out to me that want to talk to me and let me know what I might expect as to how things operate," said the newcomer, who had never run for a political office before retiring from a management position at Nucor Corporation in July to pursue the House seat.

Mr. Riedel said he'll also be familiarizing himself with the capital city, having only spent a brief amount of time at the Statehouse during the last General Assembly.

Ironically, that visit was a "shadowing" of Rep. Burkley while the incumbent performed his state rep duties. Unbeknownst to his host, Mr. Riedel would soon be angling for his job.

Mr. Riedel said he asked Mr. Burkley for the opportunity because he wanted to learn more about the legislature.

When the House GOP first threw its financial support behind Rep. Burkley, Mr. Riedel said he was confused because no one in the party had gotten to know him. (See Gongwer Ohio Report, January 4, 2016)

It's customary for both parties to protect their incumbents, especially in key elections where candidates have well-financed and organized campaigns like that of Mr. Riedel. However, the winner of Tuesday's election said he was able to pull off a victory despite the powers-that-be because voters trust him.

"I think the people we met, they saw the sincerity in my words and my life and they had the confidence in me that I was going to go to Columbus and truly represent them and that I would not be afraid to be criticized or that I wouldn't be afraid to go against the line when I felt it was necessary," he said.

At the risk of upsetting the party, Mr. Riedel said that while he's planning to vote mostly with his peers, he won't be afraid to lead on conservative issues that haven't yet been tackled, such as making Ohio a so-called "right to work" state.

Working with Nucor Corporation for 27 years, he said he saw a number of businesses choose to settle in neighboring states such as Indiana or Michigan because workers in those states are not required to join unions.

"I understand why unions may be necessary but what I believe is an individual should have a right to choose whether or not they want to belong to a union or not," he said. "I think it's wrong that you're required in Ohio to join a union if there is a union in your facility. You should have that freedom of choice."

Working in private business his entire career, Mr. Riedel said he understands how important teamwork is to being successful, however sticking to one's principals is just as important.

"I'm always going to be very respectful and of the Republican Party and I'm very conservative, but I'm always going to do what I think is right and there are going to be times when that goes divergent from what the Republicans would like me to do," he said.

"My bosses are my God and the constituents of the 82nd House District. That's who I'm going to answer to. I'm always going to do what I believe is the right thing to do," Mr. Riedel continued.

Having already knocked on the doors of 4,400 constituents with his wife, Danette, leading up to the election, he said he'll continue meeting with people in his district and find out what issues they care most about.

Another priority will be meeting with business and civic groups to determine the best way to meet his goals of reducing taxes and business regulations as well as spurring economic development, Mr. Riedel said.

Kasich Lags in Money Race, Walks Back Statement On Garland, Announces Arizona Leadership Team And Campaign Stops...

Gov. John Kasich trails competitors Sen. Ted Cruz (R-Texas) and billionaire Donald Trump in the race to secure enough delegates to secure the Republican Party's nomination for president.

He also trails in the money race.

Gov. Kasich reported \$1.25 million on hand at the beginning of March, according to his latest campaign finance report filed with the Federal Election Commission. In February, he raised \$3.4 million and spent \$3.6 million.

Sen. Cruz began the month of March with \$8 million on hand. He raised \$11.8 million and spent \$17.5 million in February.

Mr. Trump had \$1.6 million on hand at the beginning of March. He raised just \$2 million in February, but loaned his campaign nearly \$7 million during the month, bring the total to \$24.3 million since entering the campaign. He spent \$9.5 million in February.

Garland: Over the weekend, the governor was forced to walk back a comment he made about President Barack Obama's pick to fill the seat of former U.S. Supreme Court Justice Antonin Scalia.

During a taped interview for CBS' "Face the Nation," Gov. Kasich suggested he would consider nominating Merrick Garland to a seat on the bench.

He later said that statement was made "in an effort to be polite."

"Look, you know, Garland's - I'm going have my own picks for Supreme Court," he said. "You know, the fact is, I said that they ought to meet him and talk to him, and I'm not going to pick somebody who's, you know, obviously not a respecter of the Second Amendment. I don't want people making law and so nobody should be confused, worked up or upset. He's not going to be my pick for the Supreme Court."

Also, during a taped interview on NBC's "Meet the Press," Gov. Kasich ruled out the possibility of being the running mate of either Sen. Cruz or Mr. Trump.

Leadership Team: Ahead of Tuesday's primary contest in Arizona, Gov. Kasich announced his leadership team there that includes two state lawmakers, two former chiefs of staff to governors, a disability rights advocate and several activists.

"We have a great team in Arizona," Gov. Kasich said. "I am very appreciative of their help to share our positive message to strengthen our country and bring real solutions to the America people."

Campaign Stops: Gov. Kasich on Monday was one of four presidential candidates scheduled to address the American Israel Public Affairs Committee Policy Conference. In his speech to AIPAC, Gov. Kasich made a pitch based on experience, according to *Politico*.

On Wednesday, he is scheduled to hold a town hall event in Wisconsin, where he picked up the endorsement of former Treasurer Jack Voight.

Draft Kasich Movement: According to *New York Times Magazine* writer Robert Draper, the GOP establishment is not rushing to get on board the bandwagon for Gov. Kasich to secure the party's nomination in a brokered process.

According to Mr. Draper, party insiders are rejecting the movement because of his poor showing in most states, along with his support for Medicaid expansion and embrace of Common Core, despite helping to balance the budget as chairman of the House Budget Committee.

"But there's a third layer of resistance to Kasich, one with which Cruz can identify: Many Beltway Republicans don't like him," he writes.

"No doubt Chairman Kasich's strict budgets made life unpleasant for a few lobbyists. But so did his demeanor - which, D.C. veterans say, was often sanctimonious and rude," he continued.

Campaign Continues: Despite needing more than 100 percent of remaining elected delegates to secure the party's nomination, Gov. Kasich on Monday again reiterated that he has no plans to get out of the race.

Speaking on CNN's "New Day" on Monday morning, the governor said a brokered convention will be "an extension of this primary process."

"If I'm the only one that can beat Hillary in the fall, why would anybody say I should leave? I mean that's just -- that's nuts," he said.

Agency Briefs: AG Rejects Another Pot Petition; Review Of EPA Rules Delayed; Painesville Man Busted For Workers' Comp Fraud; Ballot Board To Meet; Sebring Gets Funds

Attorney General Mike DeWine on Monday rejected petition language for a ballot measure to make medicinal marijuana legal in Ohio. The petition, Medicinal Cannabis and Industrial Hemp Amendment, was submitted by Grassroots OH with more than 2,000 signatures.

However, Mr. DeWine found two defects in the summary language, including the lack of references to proposed amendment language that "industrial hemp and medicinal cannabis shall be researched, regulated, and promoted by the state in a manner substantially similar to other agricultural crops" and another section that states 21-year-olds have "equal opportunity to access, ownership, and employment."

On Friday, Mr. DeWine rejected petition language filed by Ohio Medical Cannabis Care LLC based on 11 defects. (See Gongwer Ohio Report, March 18, 2016)

Since 2011, Mr. DeWine has rejected petition language for 13 measures dealing with marijuana.

A decision on the proposed language of another medical marijuana ballot measure is scheduled to be released Friday.

JCAR: Amid concerns raised by some municipalities, the Joint Committee on Agency Rule Review put off a hearing on Ohio EPA rules that came out of legislation (SB 133) designed to deal with toxic algal bloom in Lake Erie.

The regulations include monitoring and reporting of harmful algal blooms in public water systems.

"We just felt there had to be a few more questions asked," Chairman Sen. Joe Uecker (R-LoveLand) said following the meeting.

According to Sen. Uecker, the rules are expected to be back on the agenda for review at the April 4 meeting.

Bureau of Workers' Compensation: A Lake County man was convicted of workers' compensation fraud after the agency's Special Investigations Department captured video of him working as a handyman.

Mark Walker, who was receiving temporary total disability, was ordered to repay nearly \$75,000 in benefits he collected over a five-year period. He was also sentenced to 12 to 18 months incarceration, which was suspended for three years of community control.

"The purpose of temporary total disability is to give injured workers time to recuperate, and work activity during that recovery period is prohibited," BWC Administrator/CEO Steve Buehrer said. "Mr. Walker deceptively returned to employment for several years and continued to collect thousands of dollars from BWC."

Secretary of State: The Ballot Board is scheduled to meet Wednesday and will take up two ballot measures, one a proposed initiative designed to boost the clean energy industry and the other a proposed constitutional amendment that would ban former lawmakers from lobbying for two years after leaving office, and cap most legislators' pay at the annual median household income in Ohio.

Sebring Water Grant: The U.S. Department of Agriculture has awarded the Village of Sebring a \$400,000 grant to assist with water quality improvements, a development welcomed by state and federal lawmakers.

"This grant will help provide much needed upgrades to Sebring's water system but the work is far from over," Senate Minority Leader Joe Schiavoni (D-Boardman) said in a statement. "We need to acknowledge that water quality issues will continue to plague our communities until our state makes an honest investment into fixing our crumbling underground water and sewer infrastructure."

U.S. Sen. Rob Portman stated, "I'm pleased that federal authorities are helping Sebring ensure its water supply is safe. As we move forward, I hope the Senate will act in a bipartisan way to help Ohio and other areas of the country who have similar needs. I will continue to work in a bipartisan manner to ensure that all Ohioans have access to clean and safe drinking water."

Lead-tainted water in the village and officials' slow reaction in alerting residents has lead to fallout at the local level, where the Ohio EPA announced violations, and at the state level, where two agency employees were fired following a review of the circumstances. (See Gongwer Ohio Report, February 17, 2016)

At the federal level, both Mr. Portman and U.S. Sen. Sherrod Brown (D-Avon) have backed related legislation on clean water issues, which have come to the forefront in recent months due to lead tainted water in Flint, Mich., Sebring and elsewhere. (See Gongwer Ohio Report, February 3, 2016)

Politics Notebook: Ramos Looks To Add Early Voting Sites; Portman On Air With Web Ad, Defends Supreme Court Decision; Clyde Up For Award

One state lawmaker is advocating for an increased number of early voting sites.

Rep. Dan Ramos plans legislation that would allow counties to have one early voting location for every 60,000 residents. The additional early voting sites would require the approval of a county board of commissioners or, in case of Cuyahoga and Summit counties, the chartered governing body.

"With early voting for the primary recently concluding in Ohio, I believe it is time to examine and address an inequality in the system," he said. "With such variation in population, a 'one-size fits all' approach that limits the number of early voting centers does not adequately encourage public participation in the democratic process."

Under the proposal, 23 counties would be eligible to open at least one additional early voting center, according to Rep. Ramos.

"Voting is a right central to what makes us American, and this bill expands access to that right," Ramos said. "Allowing more early voting locations closer to home will benefit both

suburban and township voters outside of the city center, as well as lower income voters with limited transportation options."

Senate Race: The campaign of Sen. Rob Portman (R-Terrace Park) is up with a web ad touting his work to help Hebron-based ArmorSource secure a federal contract. According to the ad, the company has added 200 jobs since inking the deal.

In a Sunday op-ed for the *Cincinnati Enquirer*, Sen. Portman defended his decision to join with fellow Senate Republicans in refusing to hold hearings on President Barack Obama's choice to fill the seat of former Supreme Court Justice Antonin Scalia. "I have concluded that the best thing for the country is to trust the American people to weigh in and to have the confirmation process take place in a less partisan atmosphere," he wrote. "Awaiting the result of a democratic election, rather than having a nomination fight in this contentious election-year environment, will give the nominee more legitimacy and, as then - Senator Biden pointed out, better preserve the institutional credibility of the Senate and the court."

The decision has earned praise from the Judicial Crisis Network, which is launching a \$2 million TV, radio and digital ad campaign in six states, including Ohio. "The goal of this effort is to inform and alert the citizens of Ohio that in opposing President Obama's third liberal nominee to the Supreme Court, Senator Portman is also opposing liberal domination of the court and that, with the presidential election so close, he is right to allow the people of Ohio a voice in this lifetime appointment to the nation's highest court," Carrie Severino, chief counsel for JCN and a former U.S. Supreme Court clerk, said in a statement.

"As a federal judge, Garland has made rulings undermining the Second Amendment rights of Ohioans as well as defended expansive, unchecked power of federal agencies such as the EPA, decisions that harm Ohio small businesses," she continued.

The move has drawn criticism from Democrats, including Sen. Portman's general election opponent, former Gov. Ted Strickland. (See Gongwer Ohio Report, March 16, 2016)

Sen. Portman also announced on Monday the addition of Michawn Rich as his campaign's communications director.

"We are very excited to have Michawn Rich join us as we kick off the general election," campaign manager Cory Bliss said. "Michawn's discipline and experience in competitive races - including 2014's most competitive congressional race in the country - will be a great addition to our team. She is a seasoned communicator who will help us contrast Rob's vision for a brighter future with why Ohio can't go back to Ted Strickland's Ohio when the state lost over 350,000 jobs and ranked 48th in job creation."

Clyde Nominated For Award: Sen. Sherrod Brown (D-Avon) on Monday urged people to vote for Rep. Kathleen Clyde (D-Kent) to receive the Gabrielle Giffords Rising Star Award by EMILY's List.

"Kathleen is one of Ohio's biggest rising stars. She's an outspoken advocate for voting rights, and even in our state's conservative legislature, Kathleen has proven an effective fighter for Ohio's women and workers," he said.

Ms. Clyde also announced that she will make stops in Columbus, Cleveland and Cincinnati with author Ari Berman to discuss his new book, *Give Us the Ballot: The Modern Struggle for Voting Rights in America*.

Capitol Scene: Former Dispatch Editor Marrison Joins Yost Team

State Auditor Dave Yost said Monday he's hired Ben Marrison, the former *Columbus Dispatch* editor, as his communications director.

He replaces Carrie Bartunek, who was named senior policy adviser for public affairs.

"Ben's extensive media experience and management expertise will be a great addition to our office," Auditor Yost said in a statement. "He is a trusted name in Columbus and all over the state of Ohio, and we are fortunate to have him join our team."

Mr. Marrison, 52, previously worked for the *Cleveland Plain Dealer* and *Toledo Blade*. He starts his new post April 4 with an annual salary of \$105,000.

"The state auditor's office embodies those things that I always tried to do as a journalist: be transparent, provide public access and hold people accountable. I have a great deal of respect for the way Dave Yost has conducted himself as state auditor and as Delaware County prosecutor. His decisions are rooted in doing the right things by taxpayers without regard to politics," Marrison said.

"The position of director of communications provides me the opportunity to continue my public service, to help citizens understand how their money is being spent, and to better understand government operations -- something I've been fascinated with since my earliest days as a reporter."

Mr. Marrison, a Pickerington resident, holds a journalism degree from Bowling Green State University.

Attorney General's Opinion

No. 2016-010. Requested by Paulding County Prosecuting Attorney Joseph R. Burkard.
SYLLABUS:

The judges of a court of common pleas, in the reasonable exercise of their discretion, may expend moneys generated by the court's special projects fee imposed pursuant to R.C. 2303.201(E)(1) to purchase incentives that reward a participant's compliance with the terms of the court's drug court program, provided the judges determine that the incentives contribute to the efficient operation of the court.

Supplemental Agency Calendar Wednesday, March 23

Ballot Board, Senate Finance Hearing Rm., Senate Bldg., Columbus, 2:30 p.m. (The board will meet to determine whether each of the proposed constitutional amendments known as the "Ohio Clean Energy Initiative" and the "Ohio Ethics First Amendment" contain only one proposed amendment.)

Thursday, March 24

BWC Nominating Council, Conf. Rms. B&C, 31st Fl., 77 S. High St., Columbus, 1 p.m.

Thursday, April 7

Optical Dispensers Board, 31st Fl., 77 S. High St., Columbus, 9:30 a.m.

Supplemental Event Planner

Wednesday, April 6

Senate Republican candidate Frank Hoagland fundraiser, The Galley, 203 Second St., Marietta, 4:30 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to Hoagland for Ohio)

Tuesday, April 12

Vorys, Sater, Seymour and Pease LLP Legislative Reception, 52 East Gay St., Columbus, 5 p.m.

Tuesday, April 19

Sen. Joe Uecker (R-LoveLand) fundraiser, Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to The Committee to Elect Joe Uecker)

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House Activity for Monday, March 21, 2016

INTRODUCED

HB 492 ■ **CAPITAL IMPROVEMENTS (Rogers, J., Driehaus, D.)** To create the

Supplemental State Capital Improvements Pilot Program funded by a temporary transfer from the Budget Stabilization Fund and to make an appropriation. Am. 131.43, 131.44, and 164.01 and to enact section 164.18.

HB 493 ■ **CHILD ABUSE REPORTING (Sears, B., Ryan, S.)** To make changes in the

child abuse and neglect reporting law. Am. 307.627, 2151.421, 2151.422, 2151.99, 3701.701, 5153.16, 5153.175, and 5153.176.

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Daily Activity Planner for Tuesday, March 22

Legislative Committees

Canceled: Senate Rules & Reference (Committee Record) (Chr. Faber, K., 466-7584)

Majority Conf. Rm., 11 a.m.

Canceled: Senate Session (Chr. Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

• If needed

Agency Calendar

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road,
Training Room 1, Reynoldsburg, 8 a.m.

Event Planner

Presidential primaries/caucuses in Arizona, Utah & Idaho (Democratic)
ACLU of Ohio and Ohio Justice and Policy Center news conference to release
criminal justice report, Judicial Room, Sheraton at Capitol Square, 75 E. State St.,
Columbus, 10 a.m.
Rep. Nickie Antonio (D-Lakewood) and Rep. Janine Boyd (D-Cleveland Hts.) news
conference on bill to remove firearms in certain domestic violence situations,
Ladies Gallery, Statehouse, Columbus, 10:30 a.m.
Rep. Greta Johnson (D-Akron) and Sen. Capri Cafaro (D-Hubard) news
conference on gender diversification legislation, Ladies Gallery, Statehouse,
Columbus, 2 p.m.
Sen. Troy Balderson (R-Zanesville) fundraiser, Athletic Club of Columbus, Tally
Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000; Event
Sponsor \$500; Individual Attendee \$350 to Troy Balderson for State Senator)
Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club, Gold Rm., 136 E. Broad
St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Hottinger)
Sen. Kevin Bacon (R-Columbus) fundraiser, Athletic Club, Crystal Rm., 136 E.
Broad St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Kevin Bacon)
Sen. Bill Coley (R-Liberty Twp.) fundraiser, Claddaugh, 585 S. Front St.,
Columbus, 5:30 p.m., (Host: \$1,000; Sponsor \$500; Individual attendee: \$350 to
Friends of Bill Coley)

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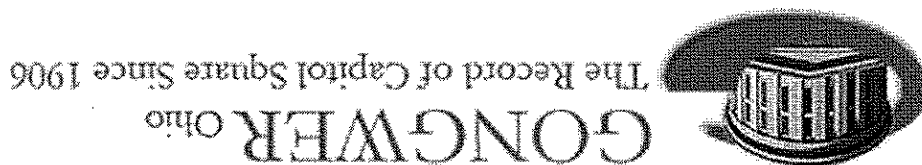
Senate Activity for Monday, March 21, 2016

INTRODUCED

SB 297 ■ **STUDENT EXPULSIONS (Hughes, J.)** With respect to the expulsion of a student from a school district, community school, or STEM school for communicating a threat of violence to occur on school grounds. Am. 3313.66 and 3313.661 and to enact section 3313.668.

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Sent: Monday, March 21, 2016 6:00 PM
To: Kasych, Shawn
Subject: Ohio Report, Monday, March 21, 2016
Attachments: Mar21House.htm; Mar21House.htm; 160321dayplan.htm; Mar21Senate.htm



Ohio Report for Monday, March 21, 2016

Energy Companies Remain Hopeful For March Ruling On PPAs
Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure
Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent
Kasich Lags In Money Race, Walks Back Statement On Garland, Announces Arizona Leadership Team And Campaign Stops...
Agency Briefs: AG Rejects Another Pot Petition; Review Of EPA Rules Delayed; Painesville Man Busted For Workers' Comp Fraud; Ballot Board To Meet; Sebring Gets Funds
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Day Planner

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Volume #85, Report #54 -- Monday, March 21, 2016
Energy Companies Remain Hopeful For March Ruling On PPAs

For more than a year and a half, AEP and FirstEnergy have waited for the Public Utilities Commission's orders on their controversial Power Purchase Agreements - decisions that have been expected to be made in the first quarter of 2016.

But with just one more meeting of the PUCO scheduled for this month, it's possible the wait for one or both decisions could stretch into the second quarter.

The PUCO is scheduled to meet just once more this month - a March 30 meeting for which the agenda has not yet been finalized. The commission will not meet March 23.

Whether the agenda will include one or both cases hasn't yet been determined, but PUCO spokesman Matt Schilling said any belief the ruling will come in the first quarter has been conjecture.

"For what it's worth the commission's never indicated when a decision may be," Mr. Schilling said. "There is lots of speculation out there, but we don't know."

The companies involved and their opponents have been anticipating first quarter orders. Should a decision not come in two weeks' time, the cases a year and a half or more in the making would be poised to continue.

The utilities are hopeful a decision arrives sooner, rather than later. In FirstEnergy's case, for example, the company has two energy auctions scheduled in April under the Electric Security Plan scheduled to begin June 1.

"So we're very hopeful we can get an order in this case so we can proceed with these auctions," spokesman Doug Colatella said. "Because as of June 1, we don't have power supply purchased for our customers."

"I think everyone is hopeful a decision may come as of next meeting. But obviously it's up to commission to put it on the agenda."

AEP spokeswoman Tammy Ridout said the company is "hopeful the commission will issue an order quickly."

"They have all the evidence in hand and we think they should approve the settlement agreement we've proposed," she said. "It's been a long process and we're ready for it to move forward."

Potentially complicating matters is the ongoing complaints against both PPAs before the Federal Energy Regulatory Commission. The Ohio Consumers' Counsel in February urged the PUCO to delay ruling until the FERC cases are settled. (See Gongwer Ohio Report, February 17, 2016)

In their latest filing, the Electric Power Supply Association argued that the companies have failed to rebut the concerns raised in the complaints and FERC "should issue an order as soon as possible granting the complaints."

The group cites opposition from PJM, the Pennsylvania Public Utility Commission, the Northwest Ohio Aggregation Council and others as showing the merits of its case.

"It is rare to see these parties and suppliers in complete agreement on wholesale market issues, and that they are should be a clear sign that, to paraphrase Shakespeare, something is rotten in the state of Ohio," the group wrote.

In their testimony, AEP and FirstEnergy both argue FERC has no jurisdiction in the matter and that the complaints are baseless because the allegations of consumer harm are "misplaced." (See Gongwer Ohio Report, February 24, 2016)

Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure

Controlling Board members approved \$92,500 in funding for the Secretary of State's office to hold elections training in Cleveland, though one lawmaker questioned why the event wasn't slated for Columbus.

The training event has recently been held either in Columbus as a two-day event or at five locations around the state as one-day events. Rep. Hearcel Craig (D-Columbus) asked if having the event in Cleveland could affect turnout for people in distant parts of the state. If turnout is low, he said, it could mean the office would have to come back before the board for more money.

Veronica Sherman, chief financial officer for the secretary of state's office, said she didn't expect to need more money.

"I think the cost that we have laid out here is the high end of the parameter and we would not expect to have to come back for more money," she said.

The office wanted to have only one event because it allows for more intensive training, she said.

Sen. Tom Sawyer (D-Akron) questioned part of a request from the Department of Education for \$3.2 million over two years for teacher certification and licensure, which includes the Office of Professional Conduct. The proposal cited an increase in the number of open cases, partially because of high-profile data manipulation scandals.

Sen. Sawyer asked if the department was targeting any particular types of schools or other programs in investigating data manipulation. Aaron Rausch, the department's director of budget and school funding, said they focused on individuals, not broad types of school districts.

"We appreciate that you don't want to go out on a witch hunt, but having said that, knowing that you're well targeted gives us more comfort," Sen. Sawyer said.

Mr. Rausch said the data manipulation cases are part of the increased load at the Office of Professional Conduct, but are not the only reason for the increase. Other things that have increased the caseload include a program that tracks the backgrounds of teachers and employees after they have been hired, finding any new hits to their record while they are working.

"Just in general there has been an increase in the caseload of the Office of Professional Conduct," he said.

The Controlling Board also approved a new contract the Department of Administrative Services reached with the Fraternal Order of Police Ohio Labor Council. The contract covers more than 500 employees statewide in eight state agencies, said Kristen Rankin, interim deputy director for the Office of Collective Bargaining.

The contract runs through June 30, 2018, and is similar to past contracts, though changes include switching from an annual clothing allowance to reimbursement and modifying the drug-free workplace policy to prohibit employees from working if they have blood alcohol contents above 0.02.

A request for \$1.45 million from the Development Services Agency for programs aimed at revitalizing distressed communities was deferred at the agency's request.

Other items approved by the board included requests for (Agenda):

- \$4.4 million from the Court of Claims for the payment of a wrongful imprisonment settlement for Kwame Ajamu, formerly Ronnie Bridgeman, and Wiley Bridgeman.
- \$615,852 from the Department of Natural Resources for geological mapping.
- \$1.9 million from the Ohio State University for a higher education system maintenance and upgrade project. The system manages data on student enrollment, courses, financial aid and more.
- \$3.1 million from OSU for roof and electrical repairs for three buildings on the Marion campus.
- \$4 million from the Development Services Agency for affordable housing assistance grants.

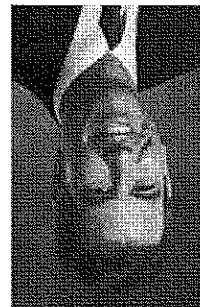
- \$1.9 million from the Ohio Environmental Protection Agency for a number of projects to clean up polluted sites.

Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent

Although he was an outsider in a primary race against an incumbent businessman Craig Riedel has had no shortage of attention from Columbus since winning his bid to head to the statehouse in January.

The Defiance Republican edged out Rep. Tony Burkley (R-Paulding) in last week's primary to represent Defiance, Paulding, Van Wert and part of Auglaize counties.

Lacking a Democrat competitor in the November election, Mr. Riedel, 49, will be headed to the Statehouse next year. After a brief hiatus from campaigning, he said he'll begin crafting his agenda by meeting with fellow lawmakers who've already begun courting him.



Craig Riedel

"I'm in a major learning curve right now. I'm going to take the summer to meet with those other representatives who've reached out to me that want to talk to me and let me know what I might expect as to how things operate," said the newcomer, who had never run for a political office before retiring from a management position at Nucor Corporation in July to pursue the House seat.

Mr. Riedel said he'll also be familiarizing himself with the capital city, having only spent a brief amount of time at the Statehouse during the last General Assembly.

Ironically, that visit was a "shadowing" of Rep. Burkley while the incumbent performed his state rep duties. Unbeknownst to his host, Mr. Riedel would soon be angling for his job.

Mr. Riedel said he asked Mr. Burkley for the opportunity because he wanted to learn more about the legislature.

When the House GOP first threw its financial support behind Rep. Burkley, Mr. Riedel said he was confused because no one in the party had gotten to know him. (See Congwer Ohio Report, January 4, 2016)

It's customary for both parties to protect their incumbents, especially in key elections where candidates have well-financed and organized campaigns like that of Mr. Riedel. However, the winner of Tuesday's election said he was able to pull off a victory despite the powers-that-be because voters trust him.

"I think the people we met, they saw the sincerity in my words and my life and they had the confidence in me that I was going to go to Columbus and truly represent them and that I would not be afraid to be criticized or that I wouldn't be afraid to go against the line when I felt it was necessary," he said.

At the risk of upsetting the party, Mr. Riedel said that while he's planning to vote mostly with his peers, he won't be afraid to lead on conservative issues that haven't yet been tackled, such as making Ohio a so-called "right to work" state.

Working with Nucor Corporation for 27 years, he said he saw a number of businesses choose to settle in neighboring states such as Indiana or Michigan because workers in those states are not required to join unions.

"I understand why unions may be necessary but what I believe is an individual should have a right to choose whether or not they want to belong to a union or not," he said. "I think it's wrong that you're required in Ohio to join a union if there is a union in your facility. You should have that freedom of choice."

Working in private business his entire career, Mr. Riedel said he understands how important teamwork is to being successful, however sticking to one's principals is just as important.

"I'm always going to be very respectful and of the Republican Party and I'm very conservative, but I'm always going to do what I think is right and there are going to be times when that goes divergent from what the Republicans would like me to do," he said.

"My bosses are my God and the constituents of the 82nd House District. That's who I'm going to answer to. I'm always going to do what I believe is the right thing to do," Mr. Riedel continued.

Having already knocked on the doors of 4,400 constituents with his wife, Danette, leading up to the election, he said he'll continue meeting with people in his district and find out what issues they care most about.

Another priority will be meeting with business and civic groups to determine the best way to meet his goals of reducing taxes and business regulations as well as spurring economic development, Mr. Riedel said.

Kasich Lags in Money Race, Walks Back Statement On Garland, Announces Arizona Leadership Team And Campaign Stops...

Gov. John Kasich trails competitors Sen. Ted Cruz (R-Texas) and billionaire Donald Trump in the race to secure enough delegates to secure the Republican Party's nomination for president.

He also trails in the money race.

Gov. Kasich reported \$1.25 million on hand at the beginning of March, according to his latest campaign finance report filed with the Federal Election Commission. In February, he raised \$3.4 million and spent \$3.6 million.

Sen. Cruz began the month of March with \$8 million on hand. He raised \$11.8 million and spent \$17.5 million in February.

Mr. Trump had \$1.6 million on hand at the beginning of March. He raised just \$2 million in February, but loaned his campaign nearly \$7 million during the month, bring the total to \$24.3 million since entering the campaign. He spent \$9.5 million in February.

Garland: Over the weekend, the governor was forced to walk back a comment he made about President Barack Obama's pick to fill the seat of former U.S. Supreme Court Justice Antonin Scalia.

During a taped interview for CBS' "Face the Nation," Gov. Kasich suggested he would consider nominating Merrick Garland to a seat on the bench.

He later said that statement was made "in an effort to be polite."

"Look, you know, Garland's - I'm going have my own picks for Supreme Court," he said. "You know, the fact is, I said that they ought to meet him and talk to him, and I'm not going to pick somebody who's, you know, obviously not a respecter of the Second Amendment. I don't want people making law and so nobody should be confused, worked up or upset. He's not going to be my pick for the Supreme Court."

Also, during a taped interview on NBC's "Meet the Press," Gov. Kasich ruled out the possibility of being the running mate of either Sen. Cruz or Mr. Trump.

Leadership Team: Ahead of Tuesday's primary contest in Arizona, Gov. Kasich announced his leadership team there that includes two state lawmakers, two former chiefs of staff to governors, a disability rights advocate and several activists.

"We have a great team in Arizona," Gov. Kasich said. "I am very appreciative of their help to share our positive message to strengthen our country and bring real solutions to the America people."

Campaign Stops: Gov. Kasich on Monday was one of four presidential candidates scheduled to address the American Israel Public Affairs Committee Policy Conference. In his speech to AIPAC, Gov. Kasich made a pitch based on experience, according to *Politico*.

On Wednesday, he is scheduled to hold a town hall event in Wisconsin, where he picked up the endorsement of former Treasurer Jack Voight.

Draft Kasich Movement: According to *New York Times Magazine* writer Robert Draper, the GOP establishment is not rushing to get on board the bandwagon for Gov. Kasich to secure the party's nomination in a brokered process.

According to Mr. Draper, party insiders are rejecting the movement because of his poor showing in most states, along with his support for Medicaid expansion and embrace of Common Core, despite helping to balance the budget as chairman of the House Budget Committee.

"But there's a third layer of resistance to Kasich, one with which Cruz can identify: Many Beltway Republicans don't like him," he writes.

"No doubt Chairman Kasich's strict budgets made life unpleasant for a few lobbyists. But so did his demeanor - which, D.C. veterans say, was often sanctimonious and rude," he continued.

Campaign Continues: Despite needing more than 100 percent of remaining elected delegates to secure the party's nomination, Gov. Kasich on Monday again reiterated that he has no plans to get out of the race.

Speaking on CNN's "New Day" on Monday morning, the governor said a brokered convention will be "an extension of this primary process."

"If I'm the only one that can beat Hillary in the fall, why would anybody say I should leave? I mean that's just -- that's nuts," he said.

Agency Briefs: AG Rejects Another Pot Petition; Review Of EPA Rules Delayed; Painesville Man Busted For Workers' Comp Fraud; Ballot Board To Meet; Sebring Gets Funds

Attorney General Mike DeWine on Monday rejected petition language for a ballot measure to make medicinal marijuana legal in Ohio. The petition, Medicinal Cannabis and Industrial Hemp Amendment, was submitted by Grassroots OH with more than 2,000 signatures.

However, Mr. DeWine found two defects in the summary language, including the lack of references to proposed amendment language that "industrial hemp and medicinal cannabis shall be researched, regulated, and promoted by the state in a manner substantially similar to other agricultural crops" and another section that states 21-year-olds have "equal opportunity to access, ownership, and employment."

On Friday, Mr. DeWine rejected petition language filed by Ohio Medical Cannabis Care LLC based on 11 defects. (See Gongwer Ohio Report, March 18, 2016)

Since 2011, Mr. DeWine has rejected petition language for 13 measures dealing with marijuana.

A decision on the proposed language of another medical marijuana ballot measure is scheduled to be released Friday.

JCAR: Amid concerns raised by some municipalities, the Joint Committee on Agency Rule Review put off a hearing on Ohio EPA rules that came out of legislation (SB 18) designed to deal with toxic algal bloom in Lake Erie.

The regulations include monitoring and reporting of harmful algal blooms in public water systems.

"We just felt there had to be a few more questions asked," Chairman Sen. Joe Lecker (R-Loveand) said following the meeting.

According to Sen. Lecker, the rules are expected to be back on the agenda for review at the April 4 meeting.

Bureau of Workers' Compensation: A Lake County man was convicted of workers' compensation fraud after the agency's Special Investigations Department captured video of him working as a handyman.

Mark Walker, who was receiving temporary total disability, was ordered to repay nearly \$75,000 in benefits he collected over a five-year period. He was also sentenced to 12 to 18 months incarceration, which was suspended for three years of community control.

"The purpose of temporary total disability is to give injured workers time to recuperate, and work activity during that recovery period is prohibited," BWC Administrator/CEO Steve Buehrer said. "Mr. Walker deceptively returned to employment for several years and continued to collect thousands of dollars from BWC."

Secretary of State: The Ballot Board is scheduled to meet Wednesday and will take up two ballot measures, one a proposed initiative designed to boost the clean energy industry and the other a proposed constitutional amendment that would ban former lawmakers from lobbying for two years after leaving office, and cap most legislators' pay at the annual median household income in Ohio.

Sebring Water Grant: The U.S. Department of Agriculture has awarded the Village of Sebring a \$400,000 grant to assist with water quality improvements, a development welcomed by state and federal lawmakers.

"This grant will help provide much needed upgrades to Sebring's water system but the work is far from over," Senate Minority Leader Joe Schiavoni (D-Boardman) said in a statement. "We need to acknowledge that water quality issues will continue to plague our communities until our state makes an honest investment into fixing our crumbling underground water and sewer infrastructure."

U.S. Sen. Rob Portman stated, "I'm pleased that federal authorities are helping Sebring ensure its water supply is safe. As we move forward, I hope the Senate will act in a bipartisan way to help Ohio and other areas of the country who have similar needs. I will continue to work in a bipartisan manner to ensure that all Ohioans have access to clean and safe drinking water."

Lead-tainted water in the village and officials' slow reaction in alerting residents has lead to fallout at the local level, where the Ohio EPA announced violations, and at the state level, where two agency employees were fired following a review of the circumstances. (See Gongwer Ohio Report, February 17, 2016)

At the federal level, both Mr. Portman and U.S. Sen. Sherrod Brown (D-Avon) have backed related legislation on clean water issues, which have come to the forefront in recent months due to lead tainted water in Flint, Mich., Sebring and elsewhere. (See Gongwer Ohio Report, February 3, 2016)

Politics Notebook: Ramos Looks To Add Early Voting Sites; Portman On Air With Web Ad, Defends Supreme Court Decision, Clyde Up For Award

One state lawmaker is advocating for an increased number of early voting sites.

Rep. Dan Ramos plans legislation that would allow counties to have one early voting location for every 60,000 residents. The additional early voting sites would require the approval of a county board of commissioners or, in case of Cuyahoga and Summit counties, the chartered governing body.

"With early voting for the primary recently concluding in Ohio, I believe it is time to examine and address an inequality in the system," he said. "With such variation in population, a 'one-size fits all' approach that limits the number of early voting centers does not adequately encourage public participation in the democratic process."

Under the proposal, 23 counties would be eligible to open at least one additional early voting center, according to Rep. Ramos.

"Voting is a right central to what makes us American, and this bill expands access to that right," Ramos said. "Allowing more early voting locations closer to home will benefit both

suburban and township voters outside of the city center, as well as lower income voters with limited transportation options."

Senate Race: The campaign of Sen. Rob Portman (R-Terrace Park) is up with a web ad touting his work to help Hebron-based ArmorSource secure a federal contract. According to the ad, the company has added 200 jobs since inking the deal.

In a Sunday op-ed for the *Cincinnati Enquirer*, Sen. Portman defended his decision to join with fellow Senate Republicans in refusing to hold hearings on President Barack Obama's choice to fill the seat of former Supreme Court Justice Antonin Scalia. "I have concluded that the best thing for the country is to trust the American people to weigh in and to have the confirmation process take place in a less partisan atmosphere," he wrote. "Awaiting the result of a democratic election, rather than having a nomination fight in this contentious election-year environment, will give the nominee more legitimacy and, as then - Senator Biden pointed out, better preserve the institutional credibility of the Senate and the court."

The decision has earned praise from the Judicial Crisis Network, which is launching a \$2 million TV, radio and digital ad campaign in six states, including Ohio. "The goal of this effort is to inform and alert the citizens of Ohio that in opposing President Obama's third liberal nominee to the Supreme Court, Senator Portman is also opposing liberal domination of the court and that, with the presidential election so close, he is right to allow the people of Ohio a voice in this lifetime appointment to the nation's highest court," Carrie Severino, chief counsel for JCN and a former U.S. Supreme Court clerk, said in a statement.

"As a federal judge, Garland has made rulings undermining the Second Amendment rights of Ohioans as well as defended expansive, unchecked power of federal agencies such as the EPA, decisions that harm Ohio small businesses," she continued.

The move has drawn criticism from Democrats, including Sen. Portman's general election opponent, former Gov. Ted Strickland. (See Gongwer Ohio Report, March 16, 2016)

Sen. Portman also announced on Monday the addition of Michawn Rich as his campaign's communications director.

"We are very excited to have Michawn Rich join us as we kick off the general election," campaign manager Corry Bliss said. "Michawn's discipline and experience in competitive races - including 2014's most competitive congressional race in the country - will be a great addition to our team. She is a seasoned communicator who will help us contrast Rob's vision for a brighter future with why Ohio can't go back to Ted Strickland's Ohio when the state lost over 350,000 jobs and ranked 48th in job creation."

Clyde Nominated For Award: Sen. Sherrod Brown (D-Avon) on Monday urged people to vote for Rep. Kathleen Clyde (D-Kent) to receive the Gabrielle Giffords Rising Star Award by EMILY's List.

"Kathleen is one of Ohio's biggest rising stars. She's an outspoken advocate for voting rights, and even in our state's conservative legislature, Kathleen has proven an effective fighter for Ohio's women and workers," he said.

Ms. Clyde also announced that she will make stops in Columbus, Cleveland and Cincinnati with author Ari Berman to discuss his new book, *Give Us the Ballot: The Modern Struggle for Voting Rights in America*.

Capitol Scene: Former Dispatch Editor Marrison Joins Yost Team

State Auditor Dave Yost said Monday he's hired Ben Marrison, the former *Columbus Dispatch* editor, as his communications director.

He replaces Carrie Bartunek, who was named senior policy adviser for public affairs.

"Ben's extensive media experience and management expertise will be a great addition to our office," Auditor Yost said in a statement. "He is a trusted name in Columbus and all over the state of Ohio, and we are fortunate to have him join our team."

Mr. Marrison, 52, previously worked for the *Cleveland Plain Dealer* and *Toledo Blade*. He starts his new post April 4 with an annual salary of \$105,000.

"The state auditor's office embodies those things that I always tried to do as a journalist: be transparent, provide public access and hold people accountable. I have a great deal of respect for the way Dave Yost has conducted himself as state auditor and as Delaware County prosecutor. His decisions are rooted in doing the right things by taxpayers without regard to politics," Marrison said.

"The position of director of communications provides me the opportunity to continue my public service, to help citizens understand how their money is being spent, and to better understand government operations -- something I've been fascinated with since my earliest days as a reporter."

Mr. Marrison, a Pickerington resident, holds a journalism degree from Bowling Green State University.

Attorney General's Opinion

No. 2016-010. Requested by Paulding County Prosecuting Attorney Joseph R. Burkard. SYLLABUS:

The judges of a court of common pleas, in the reasonable exercise of their discretion, may expend moneys generated by the court's special projects fee imposed pursuant to R.C. 2303.201(E)(1) to purchase incentives that reward a participant's compliance with the terms of the court's drug court program, provided the judges determine that the incentives contribute to the efficient operation of the court.

Supplemental Agency Calendar

Wednesday, March 23

Ballot Board, Senate Finance Haring Rm., Senate Bldg., Columbus, 2:30 p.m. (The board will meet to determine whether each of the proposed constitutional amendments known as the "Ohio Clean Energy Initiative" and the "Ohio Ethics First Amendment" contain only one proposed amendment.)

Thursday, March 24

BWC Nominating Council, Conf. Rms. B&C, 31st Fl., 77 S. High St., Columbus, 1 p.m.

Thursday, April 7

Optical Dispensers Board, 31st Fl., 77 S. High St., Columbus, 9:30 a.m.

Supplemental Event Planner

Wednesday, April 6

Senate Republican candidate Frank Hoagland fundraiser, The Gallery, 203 Second St., Marietta, 4:30 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to Hoagland for Ohio)

Tuesday, April 12

Vorys, Sater, Seymour and Pease LLP Legislative Reception, 52 East Gay St., Columbus, 5 p.m.

Tuesday, April 19

Sen. Joe Uecker (R-LoveLand) fundraiser, Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to The Committee to Elect Joe Uecker)

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House Activity for Monday, March 21, 2016


INTRODUCED

HB 492 ■ **CAPITAL IMPROVEMENTS (Rogers, J., Driehaus, D.)** To create the

Supplemental State Capital Improvements Pilot Program funded by a temporary transfer from the Budget Stabilization Fund and to make an appropriation. Am. 131.43, 131.44, and 164.01 and to enact section 164.18.

HB 493 ■ **CHILD ABUSE REPORTING (Sears, B., Ryan, S.)** To make changes in the

child abuse and neglect reporting law. Am. 307.627, 2151.421, 2151.422, 2151.99, 3701.701, 5153.16, 5153.175, and 5153.176.

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Daily Activity Planner for Tuesday, March 22

Legislative Committees

Canceled-Senate Rules & Reference (Committee Record) (Chr-Faber, K., 466-7584),

Majority Conf. Rm., 11 a.m.

Canceled-Senate Session (Chr-Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

• If needed

Agency Calendar

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road,
Training Room 1, Reynoldsburg, 8 a.m.

Event Planner

Presidential primaries/caucuses in Arizona, Utah & Idaho (Democratic)
ACLU of Ohio and Ohio Justice and Policy Center news conference to release
criminal justice report, Judicial Room, Sheraton at Capitol Square, 75 E. State St.,
Columbus, 10 a.m.
Rep. Nickie Antonio (D-Lakewood) and Rep. Janine Boyd (D-Cleveland Hts.) news
conference on bill to remove firearms in certain domestic violence situations,
Ladies Gallery, Statehouse, Columbus, 10:30 a.m.
Rep. Greta Johnson (D-Akron) and Sen. Capri Cafaro (D-Hubard) news
conference on gender diversification legislation, Ladies Gallery, Statehouse,
Columbus, 2 p.m.
Sen. Troy Balderson (R-Zanesville) fundraiser, Athletic Club of Columbus, Tally
Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000; Event
Sponsor \$500; Individual Attendee \$350 to Troy Balderson for State Senator)
Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club, Gold Rm., 136 E. Broad
St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Hottinger)
Sen. Kevin Bacon (R-Columbus) fundraiser, Athletic Club, Crystal Rm., 136 E.
Broad St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Kevin Bacon)
Sen. Bill Coley (R-Liberty Twp.) fundraiser, Claddaugh, 585 S. Front St.,
Columbus, 5:30 p.m., (Host: \$1,000; Sponsor \$500; Individual attendee: \$350 to
Friends of Bill Coley)


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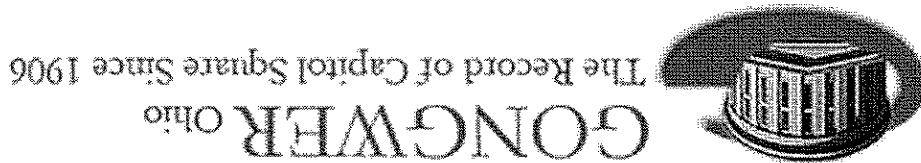
Senate Activity for Monday, March 21, 2016

INTRODUCED

SB 297 ■ **STUDENT EXPULSIONS (Hughes, J.)** With respect to the expulsion of a student from a school district, community school, or STEM school for communicating a threat of violence to occur on school grounds. Am. 3313.66 and 3313.661 and to enact section 3313.668.

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Attachments: Mar21.htm; Mar21House.htm; 160321dayplan.htm; Mar21Senate.htm



Ohio Report for Monday, March 21, 2016

Energy Companies Remain Hopeful For March Ruling On PPAs
Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure
Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent
Kasich Lags In Money Race, Walks Back Statement On Garland, Announces Arizona Leadership Team And Campaign Stops...
Agency Briefs: AG Rejects Another Pot Petition; Review Of EPA Rules Delayed; Painesville Man Busted For Workers' Comp Fraud; Ballot Board To Meet; Sebring Gets Funds
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Volume #85, Report #54 -- Monday, March 21, 2016
Energy Companies Remain Hopeful For March Ruling On PPAs

For more than a year and a half, AEP and FirstEnergy have waited for the Public Utilities Commission's orders on their controversial Power Purchase Agreements - decisions that have been expected to be made in the first quarter of 2016.

But with just one more meeting of the PUCO scheduled for this month, it's possible the wait for one or both decisions could stretch into the second quarter.

The PUCO is scheduled to meet just once more this month - a March 30 meeting for which the agenda has not yet been finalized. The commission will not meet March 23.

Whether the agenda will include one or both cases hasn't yet been determined, but PUCO spokesman Matt Schilling said any belief the ruling will come in the first quarter has been conjecture.

"For what it's worth the commission's never indicated when a decision may be," Mr. Schilling said. "There is lots of speculation out there, but we don't know."

The companies involved and their opponents have been anticipating first quarter orders. Should a decision not come in two weeks' time, the cases a year and a half or more in the making would be poised to continue.

The utilities are hopeful a decision arrives sooner, rather than later. In FirstEnergy's case, for example, the company has two energy auctions scheduled in April under the Electric Security Plan scheduled to begin June 1.

"So we're very hopeful we can get an order in this case so we can proceed with these auctions," spokesman Doug Colafella said. "Because as of June 1, we don't have power supply purchased for our customers."

"I think everyone is hopeful a decision may come as of next meeting. But obviously it's up to commission to put it on the agenda."

AEP spokeswoman Tammy Ridout said the company is "hopeful the commission will issue an order quickly."

"They have all the evidence in hand and we think they should approve the settlement agreement we've proposed," she said. "It's been a long process and we're ready for it to move forward."

Potentially complicating matters is the ongoing complaints against both PPAs before the Federal Energy Regulatory Commission. The Ohio Consumers' Counsel in February urged the PUCO to delay ruling until the FERC cases are settled. (See Gongwer Ohio Report, February 17, 2016)

In their latest filing, the Electric Power Supply Association argued that the companies have failed to rebut the concerns raised in the complaints and FERC "should issue an order as soon as possible granting the complaints."

The group cites opposition from PJM, the Pennsylvania Public Utility Commission, the Northwest Ohio Aggregation Council and others as showing the merits of its case.

"It is rare to see these parties and suppliers in complete agreement on wholesale market issues, and that they are should be a clear sign that, to paraphrase Shakespeare, something is rotten in the state of Ohio," the group wrote.

In their testimony, AEP and FirstEnergy both argue FERC has no jurisdiction in the matter and that the complaints are baseless because the allegations of consumer harm are "misplaced." (See Gongwer Ohio Report, February 24, 2016)

Controlling Board Approves Funding For Elections Training, Teacher Certification, Licensure

Controlling Board members approved \$92,500 in funding for the Secretary of State's office to hold elections training in Cleveland, though one lawmaker questioned why the event wasn't stated for Columbus.

The training event has recently been held either in Columbus as a two-day event or at five locations around the state as one-day events. Rep. Hearcel Craig (D-Columbus) asked if having the event in Cleveland could affect turnout for people in distant parts of the state. If turnout is low, he said, it could mean the office would have to come back before the board for more money.

Veronica Sherman, chief financial officer for the secretary of state's office, said she didn't expect to need more money.

"I think the cost that we have laid out here is the high end of the parameter and we would not expect to have to come back for more money," she said.

The office wanted to have only one event because it allows for more intensive training, she said.

Sen. Tom Sawyer (D-Akron) questioned part of a request from the Department of Education for \$3.2 million over two years for teacher certification and licensure, which includes the Office of Professional Conduct. The proposal cited an increase in the number of open cases, partially because of high-profile data manipulation scandals.

Sen. Sawyer asked if the department was targeting any particular types of schools or other programs in investigating data manipulation. Aaron Rausch, the department's director of budget and school funding, said they focused on individuals, not broad types of school districts.

"We appreciate that you don't want to go out on a witch hunt, but having said that, knowing that you're well targeted gives us more comfort," Sen. Sawyer said.

Mr. Rausch said the data manipulation cases are part of the increased load at the Office of Professional Conduct, but are not the only reason for the increase. Other things that have increased the caseload include a program that tracks the backgrounds of teachers and employees after they have been hired, finding any new hits to their record while they are working.

"Just in general there has been an increase in the caseload of the Office of Professional Conduct," he said.

The Controlling Board also approved a new contract the Department of Administrative Services reached with the Fraternal Order of Police Ohio Labor Council. The contract covers more than 500 employees statewide in eight state agencies, said Kristen Rankin, interim deputy director for the Office of Collective Bargaining.

The contract runs through June 30, 2018, and is similar to past contracts, though changes include switching from an annual clothing allowance to reimbursement and modifying the drug-free workplace policy to prohibit employees from working if they have blood alcohol contents above 0.02.

A request for \$1.45 million from the Development Services Agency for programs aimed at revitalizing distressed communities was deferred at the agency's request.

Other items approved by the board included requests for (Agenda):

- \$4.4 million from the Court of Claims for the payment of a wrongful imprisonment settlement for Kwame Ajamu, formerly Ronnie Bridgeman, and Wiley Bridgeman.
- \$615,852 from the Department of Natural Resources for geological mapping.
- \$1.9 million from the Ohio State University for a higher education system maintenance and upgrade project. The system manages data on student enrollment, courses, financial aid and more.
- \$3.1 million from OSU for roof and electrical repairs for three buildings on the Marion campus.
- \$4 million from the Development Services Agency for affordable housing assistance grants.

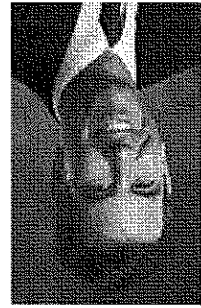
- \$1.9 million from the Ohio Environmental Protection Agency for a number of projects to clean up polluted sites.

Riedel Plans To Pursue Right To Work, Push For Economic Development After Toppling Incumbent

Although he was an outsider in a primary race against an incumbent, businessman Craig Riedel has had no shortage of attention from Columbus since winning his bid to head to the statehouse in January.

The Defiance Republican edged out Rep. Tony Burkley (R-Paulding) in last week's primary to represent Defiance, Paulding, Van Wert and part of Auglaize counties.

Lacking a Democrat competitor in the November election, Mr. Riedel, 49, will be headed to the Statehouse next year. After a brief hiatus from campaigning, he said he'll begin crafting his agenda by meeting with fellow lawmakers who've already begun courting him.



Craig Riedel

"I'm in a major learning curve right now. I'm going to take the summer to meet with those other representatives who've reached out to me that want to talk to me and let me know what I might expect as to how things operate," said the newcomer, who had never run for a political office before retiring from a management position at Nucor Corporation in July to pursue the House seat.

Mr. Riedel said he'll also be familiarizing himself with the capital city, having only spent a brief amount of time at the Statehouse during the last General Assembly.

Ironically, that visit was a "shadowing" of Rep. Burkley while the incumbent performed his state rep duties. Unbeknownst to his host, Mr. Riedel would soon be angling for his job.

Mr. Riedel said he asked Mr. Burkley for the opportunity because he wanted to learn more about the legislature.

When the House GOP first threw its financial support behind Rep. Burkley, Mr. Riedel said he was confused because no one in the party had gotten to know him. (See Congwer Ohio Report, January 4, 2016)

It's customary for both parties to protect their incumbents, especially in key elections where candidates have well-financed and organized campaigns like that of Mr. Riedel. However, the winner of Tuesday's election said he was able to pull off a victory despite the powers-that-be because voters trust him.

"I think the people we met, they saw the sincerity in my words and my life and they had the confidence in me that I was going to go to Columbus and truly represent them and that I would not be afraid to be criticized or that I wouldn't be afraid to go against the line when I felt it was necessary," he said.

At the risk of upsetting the party, Mr. Riedel said that while he's planning to vote mostly with his peers, he won't be afraid to lead on conservative issues that haven't yet been tackled, such as making Ohio a so-called "right to work" state.

Working with Nucor Corporation for 27 years, he said he saw a number of businesses choose to settle in neighboring states such as Indiana or Michigan because workers in those states are not required to join unions.

"I understand why unions may be necessary but what I believe is an individual should have a right to choose whether or not they want to belong to a union or not," he said. "I think it's wrong that you're required in Ohio to join a union if there is a union in your facility. You should have that freedom of choice."

Working in private business his entire career, Mr. Riedel said he understands how important teamwork is to being successful, however sticking to one's principals is just as important.

"I'm always going to be very respectful and of the Republican Party and I'm very conservative, but I'm always going to do what I think is right and there are going to be times when that goes divergent from what the Republicans would like me to do," he said. "My bosses are my God and the constituents of the 82nd House District. That's who I'm going to answer to. I'm always going to do what I believe is the right thing to do," Mr. Riedel continued.

Having already knocked on the doors of 4,400 constituents with his wife, Danette, leading up to the election, he said he'll continue meeting with people in his district and find out what issues they care most about.

Another priority will be meeting with business and civic groups to determine the best way to meet his goals of reducing taxes and business regulations as well as spurring economic development, Mr. Riedel said.

Kasich Lags in Money Race, Walks Back Statement On Garland, Announces Arizona Leadership Team And Campaign Stops...

Gov. John Kasich trails competitors Sen. Ted Cruz (R-Texas) and billionaire Donald Trump in the race to secure enough delegates to secure the Republican Party's nomination for president.

He also trails in the money race.

Gov. Kasich reported \$1.25 million on hand at the beginning of March, according to his latest campaign finance report filed with the Federal Election Commission. In February, he raised \$3.4 million and spent \$3.6 million.

Sen. Cruz began the month of March with \$8 million on hand. He raised \$1.8 million and spent \$17.5 million in February.

Mr. Trump had \$1.6 million on hand at the beginning of March. He raised just \$2 million in February, but loaned his campaign nearly \$7 million during the month, bring the total to \$24.3 million since entering the campaign. He spent \$9.5 million in February.

Garland: Over the weekend, the governor was forced to walk back a comment he made about President Barack Obama's pick to fill the seat of former U.S. Supreme Court Justice Antonin Scalia.

During a taped interview for CBS' "Face the Nation," Gov. Kasich suggested he would consider nominating Merrick Garland to a seat on the bench.

He later said that statement was made "in an effort to be polite."

"Look, you know, Garland's - I'm going have my own picks for Supreme Court," he said. "You know, the fact is, I said that they ought to meet him and talk to him, and I'm not going to pick somebody who's, you know, obviously not a respecter of the Second Amendment. I don't want people making law and so nobody should be confused, worked up or upset. He's not going to be my pick for the Supreme Court."

Also, during a taped interview on NBC's "Meet the Press," Gov. Kasich ruled out the possibility of being the running mate of either Sen. Cruz or Mr. Trump.

Leadership Team: Ahead of Tuesday's primary contest in Arizona, Gov. Kasich announced his leadership team there that includes two state lawmakers, two former chiefs of staff to governors, a disability rights advocate and several activists.

"We have a great team in Arizona," Gov. Kasich said. "I am very appreciative of their help to share our positive message to strengthen our country and bring real solutions to the America people."

Campaign Stops: Gov. Kasich on Monday was one of four presidential candidates scheduled to address the American Israel Public Affairs Committee Policy Conference.

In his speech to AIPAC, Gov. Kasich made a pitch based on experience, according to *Politico*.

On Wednesday, he is scheduled to hold a town hall event in Wisconsin, where he picked up the endorsement of former Treasurer Jack Voight.

Draft Kasich Movement: According to *New York Times Magazine* writer Robert Draper, the GOP establishment is not rushing to get on board the bandwagon for Gov. Kasich to secure the party's nomination in a brokered process.

According to Mr. Draper, party insiders are rejecting the movement because of his poor showing in most states, along with his support for Medicaid expansion and embrace of Common Core, despite helping to balance the budget as chairman of the House Budget Committee.

"But there's a third layer of resistance to Kasich, one with which Cruz can identify: Many Beltway Republicans don't like him," he writes.

"No doubt Chairman Kasich's strict budgets made life unpleasant for a few lobbyists. But so did his demeanor - which, D.C. veterans say, was often sanctimonious and rude," he continued.

Campaign Continues: Despite needing more than 100 percent of remaining elected delegates to secure the party's nomination, Gov. Kasich on Monday again reiterated that he has no plans to get out of the race.

Speaking on CNN's "New Day" on Monday morning, the governor said a brokered convention will be "an extension of this primary process."

"If I'm the only one that can beat Hillary in the fall, why would anybody say I should leave? I mean that's just -- that's nuts," he said.

Agency Briefs: AG Rejects Another Pot Petition; Review Of EPA Rules Delayed; Painesville Man Busted For Workers' Comp Fraud; Ballot Board To Meet; Sebring Gets Funds

Attorney General Mike DeWine on Monday rejected petition language for a ballot measure to make medicinal marijuana legal in Ohio.

The petition, Medicinal Cannabis and Industrial Hemp Amendment, was submitted by Grassroots OH with more than 2,000 signatures.

However, Mr. DeWine found two defects in the summary language, including the lack of references to proposed amendment language that "industrial hemp and medicinal cannabis shall be researched, regulated, and promoted by the state in a manner substantially similar to other agricultural crops" and another section that states 21-year-olds have "equal opportunity to access, ownership, and employment."

On Friday, Mr. DeWine rejected petition language filed by Ohio Medical Cannabis Care LLC based on 11 defects. (See Gongwer Ohio Report, March 18, 2016)

Since 2011, Mr. DeWine has rejected petition language for 13 measures dealing with marijuana.

A decision on the proposed language of another medical marijuana ballot measure is scheduled to be released Friday.

JCAR: Amid concerns raised by some municipalities, the Joint Committee on Agency Rule Review put off a hearing on Ohio EPA rules that came out of legislation (SB 13) designed to deal with toxic algal bloom in Lake Erie.

The regulations include monitoring and reporting of harmful algal blooms in public water systems.

"We just felt there had to be a few more questions asked," Chairman Sen. Joe Uecker (R-Loveland) said following the meeting.

According to Sen. Uecker, the rules are expected to be back on the agenda for review at the April 4 meeting.

Bureau of Workers' Compensation: A Lake County man was convicted of workers' compensation fraud after the agency's Special Investigations Department captured video of him working as a handyman.

Mark Walker, who was receiving temporary total disability, was ordered to repay nearly \$75,000 in benefits he collected over a five-year period. He was also sentenced to 12 to 18 months incarceration, which was suspended for three years of community control.

"The purpose of temporary total disability is to give injured workers time to recuperate, and work activity during that recovery period is prohibited," BWC Administrator/CEO Steve Buehrer said. "Mr. Walker deceptively returned to employment for several years and continued to collect thousands of dollars from BWC."

Secretary of State: The Ballot Board is scheduled to meet Wednesday and will take up two ballot measures, one a proposed initiative designed to boost the clean energy industry and the other a proposed constitutional amendment that would ban former lawmakers from lobbying for two years after leaving office, and cap most legislators' pay at the annual median household income in Ohio.

Sebring Water Grant: The U.S. Department of Agriculture has awarded the Village of Sebring a \$400,000 grant to assist with water quality improvements, a development welcomed by state and federal lawmakers.

"This grant will help provide much needed upgrades to Sebring's water system but the work is far from over," Senate Minority Leader Joe Schiavoni (D-Boardman) said in a statement. "We need to acknowledge that water quality issues will continue to plague our communities until our state makes an honest investment into fixing our crumbling underground water and sewer infrastructure."

U.S. Sen. Rob Portman stated, "I'm pleased that federal authorities are helping Sebring ensure its water supply is safe. As we move forward, I hope the Senate will act in a bipartisan way to help Ohio and other areas of the country who have similar needs. I will continue to work in a bipartisan manner to ensure that all Ohioans have access to clean and safe drinking water."

Lead-tainted water in the village and officials' slow reaction in alerting residents has lead to fallout at the local level, where the Ohio EPA announced violations, and at the state level, where two agency employees were fired following a review of the circumstances. (See Gongwer Ohio Report, February 17, 2016)

At the federal level, both Mr. Portman and U.S. Sen. Sherrod Brown (D-Avon) have backed related legislation on clean water issues, which have come to the forefront in recent months due to lead tainted water in Flint, Mich., Sebring and elsewhere. (See Gongwer Ohio Report, February 3, 2016)

Politics Notebook: Ramos Looks To Add Early Voting Sites; Portman On Air With Web Ad, Defends Supreme Court Decision; Clyde Up For Award

One state lawmaker is advocating for an increased number of early voting sites.

Rep. Dan Ramos plans legislation that would allow counties to have one early voting location for every 60,000 residents. The additional early voting sites would require the approval of a county board of commissioners or, in case of Cuyahoga and Summit counties, the chartered governing body.

"With early voting for the primary recently concluding in Ohio, I believe it is time to examine and address an inequality in the system," he said. "With such variation in population, a 'one-size fits all' approach that limits the number of early voting centers does not adequately encourage public participation in the democratic process."

Under the proposal, 23 counties would be eligible to open at least one additional early voting center, according to Rep. Ramos.

"Voting is a right central to what makes us American, and this bill expands access to that right," Ramos said. "Allowing more early voting locations closer to home will benefit both

suburban and township voters outside of the city center, as well as lower income voters with limited transportation options."

Senate Race: The campaign of Sen. Rob Portman (R-Terrace Park) is up with a web ad touting his work to help Hebron-based ArmorSource secure a federal contract. According to the ad, the company has added 200 jobs since inking the deal.

In a Sunday op-ed for the *Cincinnati Enquirer*, Sen. Portman defended his decision to join with fellow Senate Republicans in refusing to hold hearings on President Barack Obama's choice to fill the seat of former Supreme Court Justice Antonin Scalia.

"I have concluded that the best thing for the country is to trust the American people to weigh in and to have the confirmation process take place in a less partisan atmosphere," he wrote. "Awaiting the result of a democratic election, rather than having a nomination fight in this contentious election-year environment, will give the nominee more legitimacy and, as then - Senator Biden pointed out, better preserve the institutional credibility of the Senate and the court."

The decision has earned praise from the Judicial Crisis Network, which is launching a \$2 million TV, radio and digital ad campaign in six states, including Ohio.

"The goal of this effort is to inform and alert the citizens of Ohio that in opposing President Obama's third liberal nominee to the Supreme Court, Senator Portman is also opposing liberal domination of the court and that, with the presidential election so close, he is right to allow the people of Ohio a voice in this lifetime appointment to the nation's highest court," Carrie Severino, chief counsel for JCN and a former U.S. Supreme Court clerk, said in a statement.

"As a federal judge, Garland has made rulings undermining the Second Amendment rights of Ohioans as well as defended expansive, unchecked power of federal agencies such as the EPA, decisions that harm Ohio small businesses," she continued.

The move has drawn criticism from Democrats, including Sen. Portman's general election opponent, former Gov. Ted Strickland. (See Gongwer Ohio Report, March 16, 2016)

Sen. Portman also announced on Monday the addition of Michawn Rich as his campaign's communications director.

"We are very excited to have Michawn Rich join us as we kick off the general election," campaign manager Corry Bliss said. "Michawn's discipline and experience in competitive races - including 2014's most competitive congressional race in the country - will be a great addition to our team. She is a seasoned communicator who will help us contrast Rob's vision for a brighter future with why Ohio can't go back to Ted Strickland's Ohio when the state lost over 350,000 jobs and ranked 48th in job creation."

Clyde Nominated For Award: Sen. Sherrod Brown (D-Avon) on Monday urged people to vote for Rep. Kathleen Clyde (D-Kent) to receive the Gabrielle Giffords Rising Star Award by EMILY's List.

"Kathleen is one of Ohio's biggest rising stars. She's an outspoken advocate for voting rights, and even in our state's conservative legislature, Kathleen has proven an effective fighter for Ohio's women and workers," he said.

Ms. Clyde also announced that she will make stops in Columbus, Cleveland and Cincinnati with author Ari Berman to discuss his new book, *Give Us the Ballot: The Modern Struggle for Voting Rights in America*.

Capitol Scene: Former Dispatch Editor Marrison Joins Yost Team

State Auditor Dave Yost said Monday he's hired Ben Marrison, the former *Columbus Dispatch* editor, as his communications director.

He replaces Carrie Bartunek, who was named senior policy adviser for public affairs. "Ben's extensive media experience and management expertise will be a great addition to our office," Auditor Yost said in a statement. "He is a trusted name in Columbus and all over the state of Ohio, and we are fortunate to have him join our team."

Mr. Marrison, 52, previously worked for the *Cleveland Plain Dealer* and *Toledo Blade*. He starts his new post April 4 with an annual salary of \$105,000.

"The state auditor's office embodies those things that I always tried to do as a journalist: be transparent, provide public access and hold people accountable. I have a great deal of respect for the way Dave Yost has conducted himself as state auditor and as Delaware County prosecutor. His decisions are rooted in doing the right things by taxpayers without regard to politics," Marrison said.

"The position of director of communications provides me the opportunity to continue my public service, to help citizens understand how their money is being spent, and to better understand government operations -- something I've been fascinated with since my earliest days as a reporter."

Mr. Marrison, a Pickerington resident, holds a journalism degree from Bowling Green State University.

Attorney General's Opinion

No. 2016-010. Requested by Paulding County Prosecuting Attorney Joseph R. Burkard. SYLLABUS:

The judges of a court of common pleas, in the reasonable exercise of their discretion, may expend moneys generated by the court's special projects fee imposed pursuant to R.C. 2303.201(E)(1) to purchase incentives that reward a participant's compliance with the terms of the court's drug court program, provided the judges determine that the incentives contribute to the efficient operation of the court.

Supplemental Agency Calendar

Wednesday, March 23

Ballot Board, Senate Finance Haring Rm., Senate Bldg., Columbus, 2:30 p.m. (The board will meet to determine whether each of the proposed constitutional amendments known as the "Ohio Clean Energy Initiative" and the "Ohio Ethics First Amendment" contain only one proposed amendment.)

Thursday, March 24

BWC Nominating Council, Conf. Rms. B&C, 31st Fl., 77 S. High St., Columbus, 1 p.m.

Thursday, April 7

Optical Dispensers Board, 31st Fl., 77 S. High St., Columbus, 9:30 a.m.

Supplemental Event Planner

Wednesday, April 6

Senate Republican candidate Frank Hoagland fundraiser, The Gallery, 203 Second St., Marietta, 4:30 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to Hoagland for Ohio)

Tuesday, April 12

Vorys, Sater, Seymour and Pease LLP Legislative Reception, 52 East Gay St., Columbus, 5 p.m.

Tuesday, April 19

Sen. Joe Uecker (R-LoveLand) fundraiser, Athletic Club of Columbus, 136 E. Broad St., Columbus, 5 p.m., (Host - \$1,000; Sponsor - \$500; Individual - \$350 to The Committee to Elect Joe Uecker)

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House Activity for Monday, March 21, 2016

INTRODUCED

HB 492 ■ **CAPITAL IMPROVEMENTS (Rogers, J., Driehaus, D.)** To create the Supplemental State Capital Improvements Pilot Program funded by a temporary transfer from the Budget Stabilization Fund and to make an appropriation. Am. 131.43, 131.44, and 164.01 and to enact section 164.18.

HB 493 ■ **CHILD ABUSE REPORTING (Sears, B., Ryan, S.)** To make changes in the child abuse and neglect reporting law. Am. 307.627, 2151.421, 2151.422, 2151.99, 3701.701, 5153.16, 5153.175, and 5153.176.

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Daily Activity Planner for Tuesday, March 22

Legislative Committees

Canceled-Senate Rules & Reference (Committee Record) (Chr-Faber, K., 466-7584)

Majority Conf. Rm., 14 a.m.

Canceled-Senate Session (Chr-Faber, K., 466-4900), Senate Chamber, 1:30 p.m.

• If needed

Agency Calendar

Board of Building Appeals, Division of Industrial Compliance, 6606 Tussing Road, Training Room 1, Reynoldsburg, 8 a.m.

Event Planner

Presidential primaries/caucuses in Arizona, Utah & Idaho (Democratic)

ACLU of Ohio and Ohio Justice and Policy Center news conference to release criminal justice report, Judicial Room, Sheraton at Capitol Square, 75 E. State St., Columbus, 10 a.m.

Rep. Nickie Antonio (D-Lakewood) and Rep. Janine Boyd (D-Cleveland Hts.) news conference on bill to remove firearms in certain domestic violence situations, Ladies Gallery, Statehouse, Columbus, 10:30 a.m.

Rep. Greta Johnson (D-Akron) and Sen. Capri Cafaro (D-Hubard) news conference on gender diversification legislation, Ladies Gallery, Statehouse, Columbus, 2 p.m.

Sen. Troy Balderson (R-Zanesville) fundraiser, Athletic Club of Columbus, Tally Ho Room, 136 East Broad Street, Columbus, 5 p.m., (Event Host \$1,000; Event Sponsor \$500; Individual Attendee \$350 to Troy Balderson for State Senator)

Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club, Gold Rm., 136 E. Broad St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Hottinger)

Sen. Kevin Bacon (R-Columbus) fundraiser, Athletic Club, Crystal Rm., 136 E. Broad St., Columbus, 5 p.m., (\$1,000, \$500 or \$350 to Citizens for Kevin Bacon)

Sen. Bill Coley (R-Liberty Twp.) fundraiser, Claddagh, 585 S. Front St., Columbus, 5:30 p.m., (Host: \$1,000; Sponsor \$500; Individual attendee: \$350 to Friends of Bill Coley)

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Senate Activity for Monday, March 21, 2016

INTRODUCED

SB 297 ■ **STUDENT EXPULSIONS (Hughes, J.)** With respect to the expulsion of a student from a school district, community school, or STEM school for communicating a threat of violence to occur on school grounds. Am. 3313.66 and 3313.661 and to enact section 3313.668.

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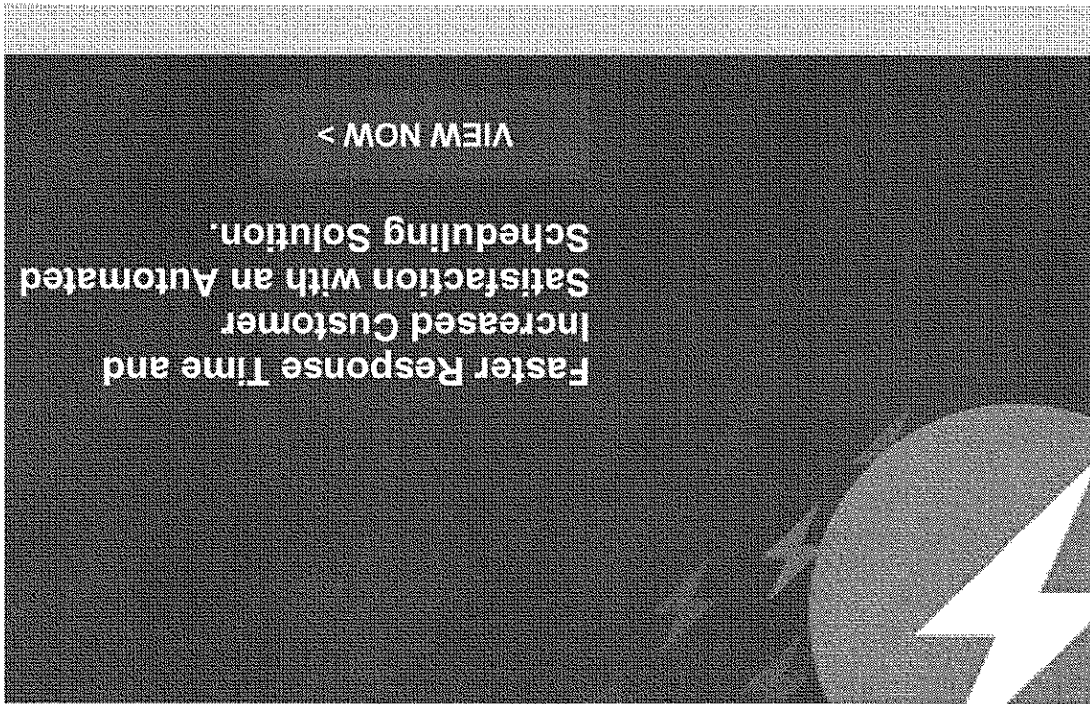
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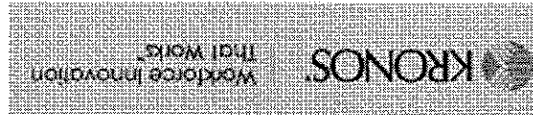
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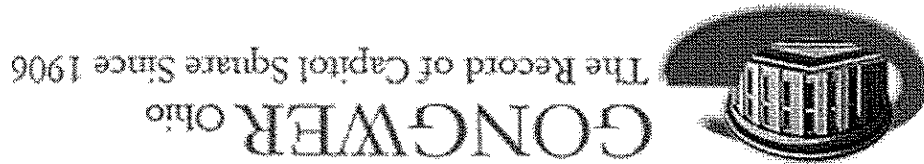
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Ohio Report for Monday, April 11, 2016

House, Senate Chairs Set Criminal Justice Legislative Priorities For Coming Months
Sunset Review Process About Half Completed; Committee Expected To Wrap Up Work In May
OCMC Subcommittee To Present Congressional Redistricting Proposal Thursday
Bill Would Create Registry Of Parkinson's Patients To Aid In Research, Treatment
Graduates, ODE Tout First-Year Results Of Adult Diploma Program
AEP Names New Ohio COO; EDF Praises Kasich Administration For New Leak Detection Measure For Oil And Gas Facilities...
High Court To Hear Public Records Case Next Week; Oral Arguments Set In Five Other Cases
National Report: Ohio's Affordable Housing Lags Behind Needs Of Low Income Renters

Education Notes: 44 Applicants Seeking Superintendent Job; AG Says
College, University Foundations Can Be Audited

Agency Briefs: Elevated Lead Levels Found In Statehouse Drinking Fountain;
ODNR Awards Marine Patrol Grants; OEPA; Civil Rights...

Politics Notebook: Strickland Proposes Five Debates, Portman Campaign
Aims To Contact 50K Voters; Buckeye Institute Slams Capital Bill; Planned
Parenthood And Ohio Right To Life To Hit Statehouse...

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House

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Day Planner

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Volume #85, Report #69 -- Monday, April 11, 2016
House, Senate Chairs Set Criminal Justice Legislative Priorities For Coming Months

The legislator who leads the Senate Criminal Justice Committee said his goal for the group over the next several months is to avoid interfering with the work of the Criminal Recodification Committee.

Chairman Sen. John Eklund (R-Chardon) said in an interview he does not want to move legislation before lawmakers break for the summer that could be at odds with recommendations from the committee charged with reviewing the state's criminal codes. "I want to avoid doing anything that is going to be disruptive of the work that the Recodification Committee is doing," he said.

However, Sen. Eklund, a member of the ad hoc panel, also said his standing committee is "not going to be paralyzed."

One of his legislative priorities, he said, is a bipartisan bill (HB 164) sponsored by Rep. John Rodgers (D-Mentor-on-the-Lake) and Rep. Dorothy Pelanda (R-Marysville). The measure, which already cleared the House, allows non-violent ex-offenders to have their records sealed if they have complied with all court ordered sanctions. (See Gongwer Ohio Report, February 24, 2016)

"That strikes me as a positive initiative," Sen. Eklund said. Although acknowledging that the legislation may be too complex to move through the committee before the General Assembly's summer recess, Sen. Eklund said another bill he is very interested in is one that would end the death penalty for those that suffer from certain severe mental illnesses at the time of their crimes.

Sponsored by Sen. Bill Seitz (R-Cincinnati) and Sen. Sandra Williams (D-Cleveland), the bill (SB 162) is facing opposition from the Ohio Prosecuting Attorneys Association. (See Gongwer Ohio Report, January 27, 2016)

"It's a big bill. It's an important bill. I don't know that it's something that we can get done that quickly," Sen. Eklund said, adding that discussions with OPA are ongoing. Another measure he hopes to get to the Senate floor that he does not feel would conflict with the work of the Recodification Committee is a bill (HB 151) sponsored by Rep. Marlene Anielski (R-Independence) designed to combat cyber stalking. (See Gongwer Ohio Report, October 7, 2015)

On the House side, Chairman Rep. Jim Butler (R-Oakwood), who said he has been in close contact with members of the Recodification Committee, has several legislation priorities he desires to move through the House Judiciary Committee in the coming months. (See Gongwer Ohio Report, March 29, 2016)

One is a bill (SB 76) sponsored by Sen. Kevin Bacon (R-Minerva Park) and Sen. Gayle Manning (R-N. Ridgerville) that specifies the actual servicing of a protective order or consent agreement to the targeted individual isn't necessary for a violation charge if the person knew of the order and "recklessly violated" its terms. (See Gongwer Ohio Report, September 30, 2015)

The measure was introduced after the Ohio Supreme Court overturned the conviction of a man because he had not been officially served with a protective order by an officer of the court.

"There some disagreement between the House and Senate on this issue, but I'm optimistic we can come up with a compromise on this bill," Rep. Butler said.

Another priority, according to Rep. Butler is a bill (SB 215) sponsored by Sen. Jim Hughes (R-Columbus) and Sen. Frank LaRose (R-Copley Twp.) that would provide civil immunity to those who break into cars to rescue animals or children. (See Gongwer Ohio Report, February 10, 2016)

"In general I think the concept is a correct one," Rep. Butler said.

He said he also expects to take up a measure (HB 307) sponsored by Rep. Pelanda designed to provide judges with more discretion in imposing driver's license suspensions for drug-related offenses that did not involve a vehicle. (See Gongwer Ohio Report, October 13, 2015)

Also likely to be a priority for the committee, according to Rep. Butler, is a bill (HB 283) to require DNA testing for certain misdemeanor sex crimes and another bill (HB 268) designed to make it easier for victims of human trafficking to expunge their records.

"I do hope we'll be able to pass those out of committee," Rep. Butler said.

Sunset Review Process About Half Completed; Committee Expected To Wrap Up Work in May

About halfway through the Sunset Review process, dozens of entities have said their services are no longer needed.

"We already have a decent number," said Sen. Kris Jordan (R-Ostrander), who chairs the Sunset Review Committee.

In fact, a total of 40 entities have asked to be sunset, including the Labor-Management Government Advisory Council, the Ohio Parks and Recreation Council and the Ohio Housing Study Committee.

Sen. Jordan said he expects more entities will ask to be discontinued as the process moves forward. The panel's next meeting is 3:30 p.m. Tuesday.

"There will be more," he said. "Every time we have hearings, there are a number of agencies and boards that ask to be sunset."

Not only does Sen. Jordan anticipate more entities to ask to be sunset, he also expects the committee to make some cuts of its own.

"There are a few members of the committee that are looking at additional boards and commissions to be addressed," he said, adding additional hearings would likely be necessary in that case to allow the entities to justify their continued existence.

When all is said and done, Sen. Jordan said, he does not expect the process to result in substantial savings for taxpayers. He does, however, hope the committee's work will improve the business climate across the state.

"Hopefully beyond saving some money, it will get government out of the way of different businesses and entrepreneurs," he said.

Sen. Jordan, though, would like to go farther.

"I would probably like to see more get cut than will actually get cut. But it's a committee process," he said. "There may be some on the other side that think we are going a little bit too far."

Sen. Jordan said he expects the committee to wrap up its work in May and issue a report some time thereafter.

"I'm not sure if we are actually going to get the bill passed until later in the year," he said.

Once a bill is introduced, Sen. Jordan said he hopes for it to garner widespread support.

"It depends on how far we go," he said. "I would like to get a bill that most people can agree to."

The review process occurs every six years. Nearly 80 boards, commissions and study panels were eliminated through legislation (SB171, 129th General Assembly) enacted at the end of the last Sunset Review process.

OCMC Subcommittee To Present Congressional Redistricting Proposal Thursday